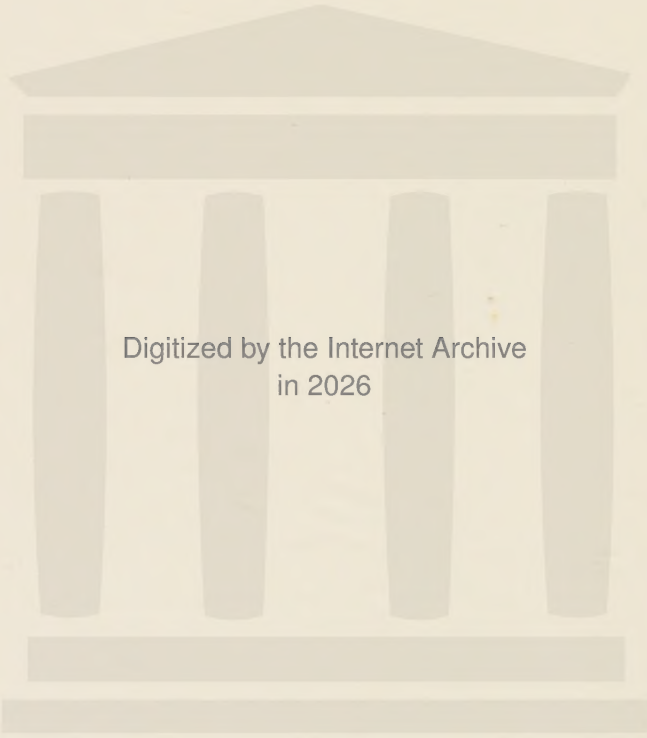




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A
COLLECTION
OF THE
PUBLIC GENERAL STATUTES
AFFECTING SCOTLAND,

PASSED IN THE
ELEVENTH AND TWELFTH YEAR
OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA:

Being the FIRST SESSION of the FIFTEENTH PARLIAMENT
of the United Kingdom of *Great Britain and Ireland.*

WITH
GENERAL INDEX,
AND TABLES OF ALL THE GENERAL, LOCAL, AND PRIVATE ACTS
PASSED IN THE ABOVE SESSION.



Printed by Authority of
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BY WILLIAM BLACKWOOD AND SONS,
EDINBURGH.

1848.

S. Robertson

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LONDON, 31st *March* 1848.

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THE
PUBLIC GENERAL STATUTES
[AFFECTING SCOTLAND.]
ANNO UNDECIMO
VICTORIÆ REGINÆ.

CAP. I.

An Act to facilitate the Completion in certain Cases of Public Works in Ireland.—[20th December 1847.]

CAP. II.

An Act for the better Prevention of Crime and Outrage in certain Parts of Ireland, until the First Day of December, One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament.—[20th December 1847.]

CAP. III.

An Act to give further Time for making certain Railways.—[20th December 1847.]

WHEREAS divers Acts of Parliament have been passed for making Railways, and in such Acts respectively certain Periods of Time are limited within which only the Powers thereby granted, whether for making the Railways, or for the compulsory Purchase of the Lands therein referred to, can be lawfully exercised: And whereas it is expedient that in certain Cases further Time be granted for the Purposes aforesaid; be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Railway Companies may apply to Commissioners of Railways for Extension of Time for Purchase of Lands, &c.

liament assembled, and by the Authority of the same, That if any Railway Company, or Person authorized by any Act or Acts of Parliament to construct a Railway or any Works connected with a Railway, or to purchase Lands for any such Purpose, desire that the Period limited by such Act or Acts for the Completion of such Railway or Works, or for the Purchase of such Lands, be extended, such Company or Person may, at any Time within Two Calendar Months after the passing of this Act, make Application, in Writing, to the Commissioners of Railways, setting forth what Extension of Time is desired by them or him, and to what Part of the Railway, or the Works or Lands connected therewith, the same is intended to apply, and the Grounds on which such Application is made.

Commissioners may require Company to give Notice of Application by Advertisement in the Gazette.

II. And be it enacted, That if it appear to the said Commissioners that there are sufficient Grounds for entertaining such Application, they shall require the Company, or Person making the same, to give Notice of such Application having been made, by Advertisement, inserted in such Form as shall be approved of by the said Commissioners, once in the *London, Edinburgh, or Dublin Gazette*, accordingly as such Railway or Works or Lands are in *England, Scotland, or Ireland*, and once in each of Three successive Weeks in some Newspaper published or circulating in each County, in which any Part of such Railway or Works or Lands to which the Extension of Time is intended to apply is situated, and affixed for Three successive *Sundays* on the principal outer Door of the Church or Churches of every Parish in which any such Part of such Railway or Works or Lands is situated; and every such Notice shall set forth within what Time and in what Manner any Person who thinks himself aggrieved by any such proposed Extension of Time, and who desires to object thereto, may bring such Objections before the said Commissioners.

Commissioners of Railways by Warrant under their Seal, may, upon Proof that Notice has been given, enlarge the Time for the Completion of Purchases and

III. And be it enacted, That upon Proof to the Satisfaction of the said Commissioners that such Notice has been duly given, and after the Expiration of the Time therein appointed for bringing Objections before the said Commissioners, and after considering all such Objections, if any, which have been brought before them, the said Commissioners may, if they think fit, and upon such Terms and Conditions as they think fit, by Warrant under their Seal, and signed by Two or more of the said Commissioners, extend the Period allowed by any such Act or Acts as aforesaid, whether for the Completion of such Railway or Works or for the compulsory Purchase of Lands for that Purpose, for such further Time as the said Commissioners think fit, not exceeding Two Years from the Expiration

Expiration of the Periods so allowed by such Act or Acts respectively; and they may so extend such Periods respectively, either as to the whole of such Railway or Works, and the whole of the Lands required for the same, or as to so much of such Railway or the Works, or the Lands connected therewith, as shall be specified for that Purpose in such Warrant.

IV. And be it enacted, That when any such Warrant as aforesaid is granted by the said Commissioners, the Act or Acts of Parliament authorizing the Construction of the Railway or Works mentioned or referred to in such Warrant shall, as to the Portion of Railway or the Works or Lands described thereby or comprised in such Warrant, be construed as if the extended Period or Periods of Time mentioned in such Warrant had been by such Act or Acts limited as the Period or Periods respectively, within which the Powers of such Act or Acts might lawfully be exercised, whether for the construction of such Railway or Works or for the compulsory Purchase of the Lands required for the same, instead of the Periods mentioned in such Act or Acts respectively.

Acts mentioned or referred to in such Warrants to be construed with reference to the same.

V. Provided always, and be it enacted, That this Act shall not have the Effect of reviving any Powers which had expired before the making of such Application, and that it shall not prejudice or affect any Contract or Agreement entered into before the passing of this Act; and where before the passing of this Act any Contract hath been entered into, or Notice given by any such Railway Company or Person, for purchasing, taking, or using any Lands which, under any such Act or Acts as aforesaid, such Company or Person is entitled to purchase, take, or use, this Act, or any Warrant thereunder, shall not authorize any Extension of the Time allowed for the Purchase of the Lands comprised or mentioned in such Contract or Notice; and every such Contract and Notice respectively shall be construed and shall take Effect, and the same Proceedings shall be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, both at Law and in Equity, as if this Act had not then passed.

Not to revive expired Powers.

Existing Contracts and Notices to take Lands to be construed as if this Act had not passed.

VI. And be it enacted, That within One Calendar Month after the Day on which any such Warrant as aforesaid is granted by the said Commissioners they shall cause Notice thereof to be inserted in the *London, Edinburgh, or Dublin Gazette*, accordingly as the Railway, Works, or Lands mentioned therein is or are in *England, Scotland, or Ireland*.

Notices of Warrants being granted to be published in the Gazette.

VII. Provided always, and be it enacted, That whenever any such Warrant as aforesaid shall have been granted by the said Commissioners for extending the Time within which any

Parties aggrieved by Extension

of

of Time
being
granted
may have
Compensa-
tion for
additional
Damage.

of the Powers given by such Act or Acts may lawfully be exercised, the Justices, Arbitrators, Umpires, or Juries respectively, as the Case may be, who under the Provisions of such Act or Acts shall award or assess the Compensation to be made by any such Company or Person as aforesaid to the Owners or Occupiers of, or other Persons interested in any Lands taken or used for the Purposes of any such Railway or Works, or injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to and make Compensation for the additional Damage (if any) sustained by such Owners, Occupiers, or other Persons, by reason of any such Extension of Time having been granted as aforesaid.

Contracts
for new
Works not
to be en-
tered into
for a
limited
Period, ex-
cept in cer-
tain Cases.

VIII. And be it enacted, That no Railway Company authorized by Act of Parliament to construct a Railway or any Works connected with a Railway, who had not before the Twenty-seventh Day of *November*, in the Year One thousand eight hundred and forty-seven, executed any Part of the Works, or entered into any Contract or Agreement for the Execution of any Part of the Works which they were for the first Time authorized by such Act to construct, shall within Twelve Calendar Months after the passing of this Act enter into any Contract or Agreement for the Execution of any Works so for the first Time authorized by such Act, excepting always from this Enactment Contracts and Agreements for the Construction of Part of any Railway or Works which by any Act shall have been substituted by way of Deviation from any Part of the Line of such Railway, as authorized by some previous Act, or in lieu of some other Works authorized by some previous Act, and also Contracts and Agreements for the Construction of such other Works as the Company shall be authorized to proceed in constructing, by the Consent of the Holders of Three Fifths of the Shares or Stock held by such of the Shareholders of such Company as shall signify their Assent thereto, or Dissent therefrom, within the Time and in the Manner herein-after mentioned, or as they shall be authorized to proceed in constructing by an Order of the said Commissioners of Railways published in the *London, Edinburgh, or Dublin Gazette*, according as the Works are situated in *England, Scotland, or Ireland*; and all Contracts and Agreements entered into in contravention of this Enactment shall be utterly void and of no Effect.

Mode of as-
certaining
Consent of
Share-
holders to

IX. And be it enacted, That for the Purpose of ascertaining such Consent of the Shareholders as aforesaid, a General Meeting of the Shareholders of such Company shall be held within Six Weeks after the passing of this Act, of which
public

public Notice shall be given by public Advertisement in the Manner required or usually adopted for advertising the Extraordinary General Meetings of such Company; and a Circular Letter shall be sent by the Post, addressed to each of the Shareholders of such Company, according to his registered Address or other known Address, describing the Portion of Line or Works proposed to be executed, and stating that a General Meeting of the Shareholders of such Company will be held, at a Time and Place mentioned in such Circular, for the Purpose of determining whether a Contract for executing such Works shall be entered into or not within the Twelve Months next after the passing of this Act, and requesting such Shareholder to signify his Assent to or Dissent from the making of such Contract, according to a Form to be contained in such Circular Letter, which Form shall be to the Effect set forth in the Schedule hereto; and such Circular Letter shall request such Shareholder either to return such Form, signed by him, in a Letter addressed to the Secretary of such Company, or to attend such General Meeting as aforesaid, and deliver the same, so signed by him, to the Chairman thereof; and at the Meeting so to be held the Chairman thereof shall cast up the Number or Amount of Shares or Stock held by Shareholders assenting to the making of such Contract, and the Number or Amount of Shares or Stock held by Shareholders dissenting therefrom, whether such Assent have been signified by the Shareholder sending to the Secretary of the Company such Form as aforesaid, signed by him, or by such Shareholder attending such Meeting, and delivering in the same to the Chairman thereof; and such Chairman shall thereupon publicly announce the Number or Amount of Shares or Stock of the Shareholders assenting to the making of such Contract, and the Number or Amount of the Shares or Stock of those dissenting therefrom, and shall state whether or not the Holders of Three Fifths of the whole of such Shares or Stock consent to the making of such Contract: Provided always, that in computing the Number or Amount of the Shares of Shareholders assenting or dissenting as aforesaid, no Share shall be taken into account the Holder whereof shall not have paid all the Calls then due by him upon the Shares held by him.

X. And be it enacted, That a Certificate under the Hand of the Chairman of the Company, and countersigned in each Case by the Secretary of the Company, stating that such Meeting as aforesaid has been duly held, and such Circular Letter sent, and such Consent given as aforesaid, in Cases where the same is given, shall, within One Week after the Day of holding such Meeting, be deposited in the Office of the said

the making
of Con-
tracts for
new
Works.

Certificate
of the
Chairman
of Com-
pany,
counter-
signed by
the Secre-
tary, to be
said

Evidence of Consent. said Commissioners of Railways; and such Certificate, or a Copy thereof, certified under the Seal of the said Commissioners to be a true Copy, shall be received as Evidence in all Courts, and before all Justices and others, that such Consent was duly given within the Time aforesaid.

Act may be amended, &c. XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE referred to by the foregoing Act.

(1) Name of Railway.	(1) Name of Shareholder.	(1) No. of Shares or Amount of Stock held by him.	(1) Works proposed to be contracted for.	(2) Whether assenting or dissenting.

(1) The Secretary will insert these Particulars.

(2) In this Column the Shareholder will write the Word " assenting " or " dissenting," as the case may be, and sign his Name thereunder.

CAP. IV.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One Thousand eight hundred and forty-eight.—[7th March 1848.]

§ I. There shall be applied, for the Service of the Year 1848, the Sum of 8,000,000, out of the Consolidated Fund.—II. The Treasury may cause 8,000,000 of Exchequer Bills to be made out in Manner prescribed by 48 G. 3. c. 1., 4 and 5 W. 4. c. 15., and 5 & 6 Vict. c. 66. III. The Clauses, &c. in recited Acts extended to this Act.—IV. Interest on Exchequer Bills.—V. Bank of England may advance 8,000,000 on the Credit of this Act, notwithstanding 5 & 6 W. and M. c. 20.—VI. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.—VII. Monies raised by Bills to be applied to the Services voted by the Commons.—VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

CAP. V.

An Act to suspend for Five Years the Operation of certain Parts of an Act of the Tenth Year of Her present

present Majesty, for making further Provision for the Government of the New Zealand Islands; and to make other Provision in lieu thereof.—[7th March 1848.]

§ I. So much of 9 and 10 Vict. c. 103, as relates to the Constitution and Establishment of Assemblies, &c. in New Zealand suspended.—II. So much of 3 and 4 Vict. c. 62., of Letters Patent dated 16th Nov. 1841, and of Instructions dated 5th Dec. 1841, as relate to the Legislative Council, &c. revived during the said Suspension.—III. Power to Governor-in-Chief to increase the Number of Legislative Council.—IV. Power to Governor-in-Chief to constitute Provincial Legislative Councils.—V. Power to Governor-in-Chief to regulate Qualification for Burgesses in Corporate Districts.—VI. Power to Her Majesty to disallow any Orders, &c. of the Governor-in-Chief.—VII. Act to be construed with 9 and 10 Vict. c. 103.—VIII. Commencement of Act.—IX. Act may be amended, &c.

CAP. VI.

An Act to make further Provision for One Year, and to the End of the then next Session of Parliament, for the Carriage of Passengers by Sea to North America.—[28th March 1848.]

WHEREAS it is expedient to make further Provision respecting the Carriage of Passengers by Sea to certain Parts of *North America* and the Islands adjacent thereto, and for that Purpose to alter certain Provisions of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels*,
5 & 6 Vict. c. 107.
 and of an Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Passengers Act, and to make further Provision for the Carriage of Passengers by Sea*;
10 & 11 Vict. c. 103.
 be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Ship carrying Passengers on any Voyage from any Port or Place in the United Kingdom, or in the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, to any Port or Place on the Eastern Coast of *North America*, or in the Islands adjacent thereto, or in the *Gulf of Mexico*, shall proceed on such Voyage with or shall carry more Passengers on board than in the Proportion of One Passenger to every Two Tons of the registered Tonnage of such Ship; and that no such Ship shall, whatever be the Tonnage thereof, proceed on such Voyage with or carry
No Ship carrying Passengers allowed to take more than a limited Number according to Space and Tonnage.
 more

more Passengers on board than in the following Proportion to the Space occupied by them and appropriated to their Use, and unoccupied by Stores not being the Personal Luggage of the Passengers; (that is to say,) on the Deck upon which the Passengers live, One Passenger for every Twelve clear Superficial Feet, or on the Orlop Deck, if any, One Passenger for every Thirty such Superficial Feet; and that if any Ship carrying Passengers upon any such Voyage as aforesaid shall carry any Person or Passenger beyond such Proportions, or any of them, the Master of the Ship shall, for and in respect of every Person or Passenger constituting such Excess, be liable to the Payment of a Penalty not exceeding Five Pounds Sterling.

Two Children under a certain Age to be computed as One Passenger.

II. And be it enacted, That in computing the aforesaid Proportions Two Children, each being under the Age of Fourteen Years, shall be computed as one Person or Passenger, and that Children under the Age of One Year shall not be included in such Computation.

No Ship carrying a certain Number of Passengers to proceed on her Voyage without a Ship's Cook, to be approved by the Emigration Officer.

III. And be it enacted, That no Ship carrying One hundred or more Passengers shall clear out or proceed on her Voyage unless there shall be on board a Ship's Cook approved by the Emigration Officer at the Port of Clearance, and engaged for the Purpose of cooking the Food of the Passengers, nor unless a convenient Place shall have been set apart, and a sufficient Apparatus provided for that Purpose, to the Satisfaction of the said Emigration Officer; and if any ship shall proceed on her voyage, not having on board such Ship's Cook and cooking Apparatus as herein is required, the Master of the said Ship shall be liable to a Penalty not exceeding Fifty Pounds.

Ships carrying Passengers to have a duly qualified Surgeon on board, else Number to be limited. Certain Children to be computed Passengers when Number limited. Qualification of Surgeon.

IV. And be it enacted, That whenever any Ship shall carry One hundred or more Passengers on any such Voyage as aforesaid, there shall be on board a Surgeon duly qualified as herein-after mentioned, or in default thereof it shall not be lawful for any such Ship to carry more Passengers on the Deck upon which the Passengers live than in the Proportion of One Passenger to every Fourteen Superficial Feet so occupied and appropriated as aforesaid.

V. And be it enacted, That in the Calculation of such Proportion every Child above the Age of One Year shall be computed as One Passenger.

VI. And be it enacted, That every such Surgeon as aforesaid shall be a Person duly qualified by Law to practise in the United Kingdom as Physician, Surgeon, or Apothecary, and who shall not be objected to by the said Emigration Officer.

VII. And be it enacted, That, except as herein-after provided, no Ship shall clear out or proceed on any such Voyage

as aforesaid, until the said Surgeon, or, in case of Ships not carrying Surgeons, until some Medical Practitioner, to be appointed by the said Emigration Officer, shall have inspected as well the Medicine Chest of the said Ship as the Passengers on board, and shall certify to the said Emigration Officer that the said Ship contains a sufficient Supply of Medicines, Instruments, and other Things requisite for the Medical Treatment of the Passengers during the intended Voyage, and that none of the Passengers appear to him likely, by reason of being affected by any infectious or other Disease, to endanger the Health of the Persons on Board: Provided always that the Master, Owner, or Charterer of every Ship inspected by any Medical Practitioner so appointed as aforesaid shall pay to such Medical Practitioner a Sum, to be fixed by the said Emigration Officer, not exceeding Twenty Shillings for every Hundred Passengers: Provided also, that in case on any particular Occasion it shall be deemed by the Emigration Officer impossible to obtain the Attendance of such Medical Practitioner, it shall be lawful for the Master of any such Ship to clear out and proceed on her Voyage, on receiving from the said Emigration Officer written Permission for the Purpose.

VIII. And be it enacted, That in case any such Surgeon or Medical Practitioner shall notify to the Emigration Officer at the original Port of Clearance, or at any other Port or Place in the United Kingdom into which the Vessel may subsequently put, or in case the said Emigration Officer shall be otherwise satisfied, that any Person about to proceed on such Voyage as aforesaid is likely, by reason of being affected by any infectious or other Disease, to endanger the Health of the other Persons on board, it shall be lawful for such Officer to re-land, or cause to be re-landed, any such Person, and such Members of his Family, if any, as may be dependent on him, or as may be unwilling to be separated from him; and no Ship shall be cleared out or proceed on any such Voyage so long as any such Person or Persons shall be on board, and the Master of any such Ship who shall wilfully proceed on the said Voyage with any such Person or Persons on board shall be liable to a Penalty not exceeding Fifty Pounds Sterling.

IX. And be it enacted, That any Person or Persons who shall be so re-landed as aforesaid, or the Emigration Officer on his or their behalf, shall be entitled to recover by summary Process, before Two or more Justices of the Peace, in like Manner as in the said first-recited Act is provided in the Cases of Monies thereby made recoverable, the whole of the Monies which shall have been paid by him or them, or on his or their Account, for his or their Passage in such Ship as aforesaid,

No Ship to proceed until the Medicine Chest and Passengers have been inspected by a Medical Practitioner.

Remuneration of Medical Practitioner.

If no Medical Practitioner can be obtained Ship may proceed by Permission of Emigration Officer.

Passengers affected with Diseases may be re-landed.

Penalty on Master wilfully proceeding on Voyage with diseased Persons on board.

Passengers so re-landed entitled to recover Passage Money by summary Process before Two Justices.

aforesaid, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship.

X. And be it enacted, That it shall be lawful for Her Majesty, by any Order or Orders in Council to be by Her made, with the Advice of Her Privy Council, to prescribe any such Rules and Regulations as to her Majesty may seem fit for preserving Order, and for securing Cleanliness and Ventilation, on board of *British Ships* proceeding on such Voyage as aforesaid, and the said Rules and Regulations from Time to Time in like Manner to alter, amend, and revoke as Occasion may require; and that any Copy of such Order in Council contained in the *London Gazette*, or purporting to be printed by the Queen's Printer, shall throughout Her Majesty's Dominions be received in all legal Proceedings as good and sufficient Evidence of the making and Contents of any such Order in Council.

XI. And be it enacted, That in every *British Ship* it shall be lawful for the Surgeon, or, in Ships not having a Surgeon on board, for the Master of any such Ship, to exact Obedience to all such Rules and Regulations as aforesaid, under the Penalties next herein-after provided.

XII. And be it enacted, That any Person on board such Ship who shall neglect or refuse to obey any such Rule or Regulation, or who shall obstruct the Master or Surgeon of such Ship in the Execution of any Duty imposed upon him by such Rule or Regulation, shall be liable to the Payment of a Penalty not exceeding Two Pounds Sterling; and it shall be lawful for the Justices of the Peace in any Part of Her Majesty's Dominions, before whom any Person shall be convicted of such Obstruction or Resistance as aforesaid, to order such Person, in addition to the Penalty herein-before mentioned, to be confined in the Common Gaol for any Period not exceeding One Month.

XIII. And be it enacted, That the said Colonial Land and Emigration Commissioners shall from Time to Time prepare such Abstract as they may think proper of the Whole or Part of this and of the said recited Acts, and of any Order in Council to be made as aforesaid; and that Six Copies of the said Abstract, together with Two Copies of this and of the said recited Acts, shall, on Demand, be delivered by the Collector or Comptroller of the Customs of the Port of Clearance to the Master of every Ship carrying Passengers on such Voyage as aforesaid; and that such Master shall, so long as any Passenger be entitled to remain in the Ship, keep posted, in at least Two conspicuous Places between the Decks of the said Ship, Copies of such Abstract, and shall be

Her Majesty may issue Orders in Council prescribing Rules, &c. for preserving Order, &c. on board Vessels.

Gazette, and Copies printed by the Queen's Printer, to be Evidence of Orders, &c.

Surgeon or Master to exact Obedience to Rules and Regulations.

Penalty for refusing to observe Rules and Regulations.

Colonial Land and Emigration Commissioners to prepare an Abstract of Acts and Orders in Council.

Such Abstract to be posted up in each Ship.

be liable to a Penalty not exceeding Forty Shillings Sterling for every Day during any Part of which by this Act or Default such Abstract shall fail to be so posted ; and that any Person displacing or defacing such Abstract so posted shall be liable to a Penalty not exceeding Forty Shillings Sterling.

Penalty on Master for Neglect ; and on Person defacing Abstract.

XIV. And be it enacted, That all Penalties imposed by this Act shall be sued for and recovered by such Persons only, and in such Manner, as in the said first-recited Act is provided in the Case of the Penalties thereby imposed.

How Penalties to be recovered.

XV. And be it enacted, That the Bond required by the said herein-before firstly-recited Act to be given in certain Cases to Her Majesty in respect of Ships carrying more than Fifty Passengers shall include and be a Security, not only for the Matters and Payments in the said Act mentioned, but also for the faithful Observance of the Provisions as well of the said herein-before secondly-recited Act as of this Act, and of any Rules and Regulations to be prescribed by any such Order in Council as aforesaid, and further for the due Payment by the Master of any such Vessel of all Penalties which he may be adjudged to pay under or by virtue of the said herein-before secondly-recited Act or this Act.

Bond required by first-recited Act to be Security for Observance of Provisions of secondly-recited Act and this Act.

XVI. And be it enacted, That all Powers and Duties given to or imposed upon the Emigration Officer herein-before mentioned may be exercised and performed respectively by his Assistant in his Absence, or, at Ports where there shall be no such Emigration Officer, by the Officer of the Customs whose Duty it may be to grant a Clearance to such Ship.

Duties of Emigration Officer may be performed by his Assistant.

XVII. And be it enacted, That in the Interpretation of this Act the Term "Passenger" shall be held not to include the Class of Passengers commonly known by the Name of Cabin Passengers ; and the Term "Ship" shall include every Description of Sea-going Vessel ; and the Term "Master" shall include any Person being in Command of such Vessel for the Time being ; and that, unless there be something in the Subject Matter or Context repugnant to such Construction, every Word importing the Singular Number or the Masculine Gender only shall be construed to include several Persons, Matters, or Things, as well as One Person, Matter, or Thing, and Females as well as Males respectively.

Interpretation of Act.

XVIII. Provided always, and be it enacted, That nothing in this Act contained shall apply to any Ship in which the Number of Passengers shall not bear to the registered Tonnage a greater Proportion than that of One Passenger to every Twenty-five Tons : Provided also, that if in any Action, Prosecution, or other legal Proceeding under this Act any Question shall arise whether any Ship carrying Passengers on any such Voyage as aforesaid did or did not carry a greater Number

Exemption of Ships carrying less than One Passenger to 25 Tons.

In certain Actions as before

to Ships
carrying
Passen-
gers, Bur-
den of
Proof to
lie on De-
fendant.

ber of Passengers than aforesaid in proportion to the Tonnage thereof, the Burden of proving that the Number of Passengers so carried in proportion to the Tonnage of the Ship was not greater than that of One Person to every Twenty-five Tons shall lie upon the Person against whom any such Action, Prosecution, or other legal Proceeding may be brought; and, failing such Proof, it shall, for any such Purpose as aforesaid, be taken and adjudged that the Number of Passengers so carried did exceed that Proportion.

Short Title
of Act.

XIX. And be it enacted, That in all Proceedings it shall be sufficient to cite this Act by the Title of “The North American Passengers Act.”

Continu-
ance of
Act.

XX. And be it enacted, That this Act shall remain in force for the Period of One Year from the passing thereof, and from thence to the End of the then next Session of Parliament.

Act may be
amended,
&c.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. VII.

An Act to amend an Act for consolidating the Queen's Bench, Fleet, and Marshalsea Prison, and for regulating the Queen's Prison.—[28th March 1848.]

CAP. VIII.

An Act to continue for Three Years the Duties on Profits arising from Property, Professions, Trades, and Offices.—[13th April 1848.]

§ I. Rates and Duties granted by 5 & 6 Vict. c. 35. further continued for Three Years.—II. The several Acts continued in force.—III. Assessments under Schedules (A.) and (B.) for the Year 1848 to be in force for Three Years.—IV. Power to compound for Duties under Schedule (D.) continued.—V. Act may be amended, &c.

CAP. IX.

An Act to continue for Three Years the Stamp Duties granted by an Act of the Fifth and Sixth Years of Her present Majesty, to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same.—[13th April 1848.]

§ I. Duties continued for Three Years.—II. 5 & 6 Vict. c. 32. and other Acts continued in force.—III. Act may be amended, &c.

CAP. X.

An Act for empowering certain Officers of the High Court of Chancery to administer Oaths and take Declarations and Affirmations.—[13th April 1848.]

CAP. XI.

CAP. XI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
—[22d April 1848.]

CAP. XII.

An Act for the better Security of the Crown and Government of the United Kingdom.—[22d April 1848.]

WHEREAS by an Act of the Parliament of Great Britain passed in the Thirty-sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the Safety and Preservation of His Majesty's Person and Government* ^{36 G. 3. c.} 7. against treasonable and seditious Practices and Attempts, it was among other things enacted, that if any Person or Persons whatsoever, after the Day of the passing of that Act, during the natural Life of His said Majesty, and until the End of the next Session of Parliament after the Demise of the Crown, should, within the Realm or without, compass, imagine, invent, devise, or intend Death or Destruction, or any bodily Harm tending to Death or Destruction, Maim or Wounding, Imprisonment or Restraint of the Person of His said Majesty, His Heirs or Successors, or to deprive or depose Him or Them from the Style, Honour, or Kingly Name of the Imperial Crown of this Realm or of any other of his said Majesty's Dominions or Countries, or to levy War against His said Majesty, His Heirs and Successors, within this Realm, in order, by Force or Constraint, to compel Him or Them to change His or Their Measures or Councils, or in order to put any Force or Constraint upon or to intimidate or overawe both Houses or either House of Parliament, or to move or stir any Foreigner or Stranger with Force to invade this Realm or any other of His said Majesty's Dominions or Countries under the Obeisance of His said Majesty, His Heirs and Successors, and such Compassings, Imaginations, Inventions, Devices, or Intentions, or any of them, should express, utter, or declare, by publishing any Printing or Writing, or by any overt Act or Deed, being legally convicted thereof, upon the Oaths of Two lawful and credible Witnesses, upon Trial, or otherwise convicted or attainted by due Course of Law, then every such Person or Persons so as aforesaid offending should be deemed, declared, and adjudged to be a Traitor and Traitors, and should suffer Pains of Death, and also lose and forfeit as in Cases of High Treason: And whereas by an Act of Parliament passed in the Fifty-seventh Year of the same Reign, ^{57 G. 3. c.} intituled *An Act to make perpetual certain Parts of an Act of* ^{6.}
the

the Thirty-sixth Year of His present Majesty, for the Safety and Preservation of His Majesty's Person and Government against treasonable and seditious Practices and Attempts, and for the Safety and Preservation of the Person of His Royal Highness the Prince Regent against treasonable Practices and Attempts, all the herein-before recited Provisions of the said Act of the Thirty-sixth Year of His said Majesty's Reign which relate to the Heirs and Successors of His said Majesty, the Sovereigns of these Realms, were made perpetual: And whereas Doubts are entertained whether the Provisions so made perpetual were by the last-recited Act extended to *Ireland*: And whereas it is expedient to repeal all such of the Provisions made perpetual by the last-recited Act as do not relate to Offences against the Person of the Sovereign, and to enact other Provisions instead thereof applicable to all Parts of the United Kingdom, and to extend to *Ireland* such of the Provisions of the said Acts as are not hereby repealed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Provisions of the said Act of the Thirty-sixth Year of the Reign of King *George* the Third, made perpetual by the said Act of the Fifty-seventh Year of the same Reign, and all the Provisions of the last-mentioned Act in relation thereto, save such of the same respectively as relate to the compassing, imagining, inventing, devising, or intending Death or Destruction, or any bodily Harm tending to Death or Destruction, Maim or Wounding, Imprisonment or Restraint of the Person of the Heirs and Successors of His said Majesty King *George* the Third, and the expressing, uttering, or declaring of such Compassings, Imaginations, Inventions, Devices, or Intentions, or any of them, shall be and the same are hereby repealed.

II. And be it declared and enacted, That such of the said recited Provisions made perpetual by the said act of the Fifty-seventh Year of the Reign of King *George* the Third as are not hereby repealed shall extend to and be in force in that Part of the United Kingdom called *Ireland*.

III. And be it enacted, That if any Person whatsoever after the passing of this Act shall, within the United Kingdom or without, compass, imagine, invent, devise, or intend to deprive or depose our most Gracious Lady the Queen, Her Heirs or Successors, from the Style, Honour, or Royal Name of the Imperial Crown of the United Kingdom, or of any other of Her Majesty's Dominions and Countries, or to levy War against Her Majesty, Her Heirs or Successors, within any Part of the United Kingdom, in order by Force or Constraint

to

After passing of this Act, Provisions of 36 G. 3. c. 7. and 57 G. 3. c. 6. repealed, except as to Offences against the Person of the Sovereign.

So much of 36 G. 3. c. 7. made perpetual by 57 G. 3. c. 6., as is not repealed, extended to *Ireland*.

Offences declared Felonies by this Act to be punishable by Transportation or Imprisonment.

to compel Her or Them to change Her or Their Measures or Counsels, or in order to put any Force or Constraint upon or in order to intimidate or overawe both Houses or either House of Parliament, or to move or stir any Foreigner or Stranger with Force to invade the United Kingdom or any other Her Majesty's Dominions or Countries under the Obeisance of Her Majesty, Her Heirs or Successors, and such Compassings, Imaginations, Inventions, Devices, or Intentions, or any of them, shall express, utter, or declare, by publishing any Printing or Writing, or by open and advised Speaking, or by any overt Act or Deed, every Person so offending shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Two Years, with or without hard Labour, as the Court shall direct.

IV. Provided always, and be it enacted, That no Person shall be prosecuted for any Felony by virtue of this Act in respect of such Compassings, Imaginations, Inventions, Devices, or Intentions as aforesaid, in so far as the same are expressed, uttered, or declared by open and advised Speaking only, unless Information of such Compassings, Imaginations, Inventions, Devices, and Intentions, and of the Words by which the same were expressed, uttered, or declared, shall be given upon Oath to One or more Justice or Justices of the Peace, or to any Sheriff or Steward, or Sheriff Substitute, or Steward Substitute, in *Scotland*, within Six Days after such Words shall have been spoken, and unless a Warrant for the Apprehension of the Person by whom such Words shall have been spoken shall be issued within Ten Days next after such Information shall have been given as aforesaid, and unless such Warrant shall be issued within Two Years next after the passing of this Act; and that no Person shall be convicted of any such Compassings, Imaginations, Inventions, Devices, or Intentions as aforesaid, in so far as the same are expressed, uttered, or declared by open or advised Speaking as aforesaid, except upon his own Confession in open Court, or unless the Words so spoken shall be proved by two credible Witnesses.

Time within which Prosecutions shall be commenced, Warrant issued, &c.

V. And be it enacted, That it shall be lawful, in any Indictment for any Felony under this Act, to charge against the Offender any Number of the Matters, Acts, or Deeds by which such Compassings, Imaginations, Inventions, Devices, or Intentions as aforesaid, or any of them, shall have been expressed, uttered, or declared.

In Indictments more than One overt Act may be charged.

VI. Provided always, and be it enacted, That nothing herein contained shall lessen the Force of or in any Manner affect

Nothing herein contained to

affect Provisions of 25 Edw. 3. c. 2.

Indictments for Felony under this Act valid though the Facts may amount to Treason.

As to the Punishment of Accessories before and after the Fact.

Felonies under this Act in Scotland not bailable, except as provided by 5 & 6 W. 4. c. 73.

Trial to take place in Terms of Act of Scottish Parliament of 1701.

No Costs allowed in Prosecutions under this Act.

Act may be amended.

affect any thing enacted by the Statute passed in the Twenty-fifth Year of King *Edward* the Third, *A Declaration which Offences shall be adjudged Treason.*

VII. Provided also, and be it enacted, That if the Facts or Matters alleged in an Indictment for any Felony under this Act shall amount in Law to Treason, such Indictment shall not by reason thereof be deemed void, erroneous, or defective; and if the Facts or Matters proved on the Trial of any Person indicted for any Felony under this Act shall amount in Law to Treason, such Person shall not by reason thereof be entitled to be acquitted of such Felony; but no Person tried for such Felony shall be afterwards prosecuted for Treason upon the same Facts.

VIII. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree and every Accessary before the Fact shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any such Felony shall on Conviction be liable to be imprisoned, with or without hard Labour, for any Term not exceeding Two Years.

IX. Provided always, and be it enacted, That no Person committed for Trial in *Scotland* for any Offence under this Act shall be entitled to insist on Liberation on Bail, unless with Consent of the Public Prosecutor, or by Warrant of the High Court or Circuit Court of Justiciary, in such and the like Manner and to the same Effect as is provided by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of his Majesty King *George* the Fourth, intituled *An Act to provide that Persons accused of Forgery in Scotland shall not be entitled to Bail, unless in certain Cases*; but the Trial of any Person so committed, and whether liberated on Bail or not, shall in all Cases be proceeded with and brought to a Conclusion under the like Certification and Conditions as if Intimation to fix a Diet for Trial had been made to the Public Prosecutor in Terms of an Act passed in the *Scottish* Parliament in the Year One Thousand seven hundred and one, intituled *An Act for preventing wrongous Imprisonment, and against undue Delays in Trials.*

X. And be it enacted, That it shall not be lawful for any Court before which any Person shall be prosecuted or tried for any Felony under this Act to order Payment to the Prosecutor or the Witnesses of any Costs which shall be incurred in preferring or prosecuting any such Indictment.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. XIII.

An Act for amending the Law of Mines in Ireland.—
[22d April 1848.]

CAP. XIV.

An Act for authorizing a Borough Police Superannuation Fund.—[22d April 1848.] (England.)

CAP. XV.

An Act for the Regulation of her Majesty's Royal Marine Forces while on Shore.—[22d April 1848.]

CAP. XVI.

An Act for raising the Sum of Seventeen millions nine hundred and forty-six thousand five hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-eight.—[22d April 1848.]

CAP. XVII.

An Act to Amend the Act of the present Session to facilitate the Completion of Public Works in Ireland.—
[22d April 1848.]

CAP. XVIII.

An Act to remove certain Doubts as to the Law for the Trial of controverted Elections.—[5th May 1848.]

WHEREAS Petitions have been presented in several Cases to the House of Commons, complaining of an undue Election or Return of a Member or Members to serve in Parliament: And whereas such Petitions are endorsed by a Certificate under the Hand of the Examiner of Recognizances, to the effect that the Recognizances required by an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws for the Trials of* 7 & 8 Vict. *controverted Elections of Members to serve in Parliament,* have c. 103. been entered into and received by him, with the Affidavits thereunto annexed; And whereas in some of such Cases Doubts have been entertained as to the Validity of the Recognizances so entered into as aforesaid: And whereas in some of the Cases wherein such Doubts have been entertained as aforesaid other Petitions have also been presented from the sitting Member or Members, complaining of the Invalidity of the Recognizances

Sitting Members may, in all Cases of Election Petitions presented before the 1st of March, object to the Recognizance, on Grounds omitted to be specified in recited Act.

Select Committee appointed to try Election Petition shall inquire first into such preliminary Objection, and if the Recognizance be good proceed to try the Merits of the Return. If Recognizances are invalid

nizances entered into in pursuance of the said recited Act, and praying for Relief in the Premises : And whereas it is desirable that the Doubts herein-before mentioned should be put an end to, and that a Mode of proceeding should be prescribed with respect to the Determination of the several before-mentioned Petitions : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases of Election Petitions which shall have been presented before the First of *March* in the present Year, and which shall after the passing of this Act be tried during the present Session of Parliament, it shall be lawful for all and every the sitting Members and Member against whose Return any such Petition shall have been presented, by themselves or himself, or their or his Agents or Agent, to deliver in to the Clerk of the General Committee of Elections, not later than Six of the Clock in the Afternoon on the Sixth Day next before the Day appointed for choosing the Committee to try the Petition complaining of such Election or Return, Notice in Writing that a preliminary Objection will be made before such Select Committee to the Form or Substance of the Recognizance or Recognizances entered into by or on behalf of the Petitioner or Petitioners against such Return, provided that the Ground or Grounds of such Objection be not such as would, under the said recited Act, have entitled any sitting Member petitioned against to object to the Sureties or any of them who shall have entered into such Recognizance or Recognizances, and that the Grounds of Objection be stated in such Notice.

II. And be it enacted, That in all Cases in which such Notice of Objection shall have been delivered in as aforesaid the Select Committee chosen to try the Election Petition or Election Petitions to which such Notice relates shall in the first instance inquire into and decide upon such preliminary Objection ; and such Select Committee shall have, for the Purpose of such Inquiry and Decision, all the Powers given to Select Committees by the said recited Act for the Purpose of trying the Merits of the Return or Election petitioned against ; and if such Select Committee shall be of opinion that such Recognizance or Recognizances is or are good and valid for all the Intents and Purposes of the said recited Act, such Committee shall decide that the same is or are good, and shall thereafter proceed to try the Merits of the Return or Election the Petition relating to which shall have been referred to them ; and if such Committee shall be of opinion that the Recognizance or Recognizances objected to are void, and that such

Invalidity

Invalidity is in any degree attributable to the Neglect or Laches of the Petitioner or Petitioners or the Party or Parties entering into such Recognizance or Recognizances, or their or any of their Agents, then the Committee shall report to the House accordingly, and no further Proceeding shall be had upon such Petition or Petitions, and the Order referring the same to such Select Committee shall be discharged; and if such Select Committee shall be of opinion that such Recognizance or Recognizances are void, as herein-before mentioned, but that any such Invalidity as aforesaid is in no degree attributable to the Neglect or Laches of the Petitioner or Petitioners, or of the Party or Parties entering into such Recognizance or Recognizances, or their or any of their Agents, or shall be of opinion that the Validity of such Recognizance or Recognizances is doubtful, or that any Party for whose security such Recognizance or Recognizances was or were intended might be embarrassed in enforcing the same, then the Committee shall (as the Case may be) decide accordingly, and in either Case that such Recognizance or Recognizances may be amended; and thereupon, if the Person or Persons who shall have entered into such Recognizance or Recognizances, or the Survivors or Survivor of them, shall consent thereto, in Writing signed by his or their Hand or Hands, the Committee shall forthwith, by their Chairman, amend such Recognizance or Recognizances, by making the same conformable to the Form of Recognizance contained in the Schedule to the said recited Act, and the Chairman shall write in the Margin of the same, against every Amendment, the Words "amended by Committee," and shall sign his Name to such Words; or it shall be lawful for the Petitioner or Petitioners forthwith, before the Examiner of Recognizances who shall for that Purpose attend the Committee, to enter into a new Recognizance or new Recognizances with sufficient Sureties, (as required by the said recited Act,) previously approved of by the Committee, who shall have, for the Purpose of inquiring into the Sufficiency of such Sureties, all the said Powers given to Select Committees by the said recited Act, and the Committee shall also be satisfied that the new Recognizance or Recognizances is or are in due Form and valid; and the Committee, having made such Amendment, or being satisfied with such new Recognizance or Recognizances, shall decide that the Recognizance or Recognizances so amended or newly entered into is or are good, and shall proceed to try the Merits of the Return or Election as aforesaid; but if the Person or Persons who shall have entered into such Recognizance or Recognizances shall not consent in Manner aforesaid

to

to such Amendment, and if no new Recognizance or Recognizances shall be entered into as aforesaid, the Committee shall report to the House that such Recognizance or Recognizances ought to be amended, or new Recognizances entered into, but that the Parties have not consented to such Amendment or entered into new Recognizances, and thereupon no further Proceedings shall be had upon the Petition referred to such Committee, and the Order referring the same to them shall be discharged.

Amended or new Recognizances to have the same Effect as when originally entered into, and the Decision of the Committee that the same is good to be final.

III. And be it enacted, That all and every Recognizances and Recognizance which shall be amended by any Select Committee shall after such Amendment have, and shall be held and taken in all Courts to have had, from the Time when the same were or was entered into, the same Force and Effect for all Intents and Purposes whatsoever as if the same when entered into had been in the Words and Figures in which the same shall be when so amended as aforesaid; and the marginal Words "amended by Committee," written against any Amendment in the same, and appearing to be signed as aforesaid, shall be Evidence in all Courts that such Amendment was duly made, and such marginal Words duly signed, under the Authority of this Act; and any new Recognizance or Recognizances which shall be entered into under the Authority of this Act shall have, and shall be taken to have had, from before the receiving of the Petition to which the same shall relate, the same Force and Effect to all Intents and Purposes as if the same had been duly entered into under the said recited Act before the receiving of such Petition, and as if the Examiner of Recognizances had reported to the Speaker that the Sureties entering into the same are unobjectionable; and the Decision of every Select Committee that any Recognizance or Recognizances, or that any amended Recognizance or Recognizances, is or are good, shall be final and conclusive against all Parties, and the Validity of any such Recognizance or Recognizances shall not be called in question in any Court upon any Ground or Pretence whatever.

Recited Act and this Act to be read as one.
Act may be amended, &c.

IV. And be it enacted, That the said recited Act and this Act shall be read and construed together as One Act.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XIX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those

those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and forty-nine.
—[9th June 1848.]

CAP. XX.

An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Aliens from the Realm.—[9th June 1848.]

WHEREAS it is expedient, for the due Security of the Peace and Tranquillity of this Realm, that Provision should be made, for a Time to be limited, respecting Aliens arriving or resident in this Kingdom: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when and so often as One of Her Majesty's Principal Secretaries of State in that Part of the United Kingdom called *Great Britain*, or the Lord Lieutenant or other Chief Governor or Governors in that Part of the United Kingdom called *Ireland*, shall have Reason to believe, from Information given to him or them respectively, in Writing, by any Person subscribing his or her Name and Address thereto, that for the Preservation of the Peace and Tranquillity of any Part of this Realm it is expedient to remove therefrom any Alien or Aliens who may be in any Part of this Realm, or who may hereafter arrive therein, it shall be lawful for such Secretary of State in that Part of the United Kingdom called *Great Britain*, and for such Lord Lieutenant or other Chief Governor or Governors in that Part of the United Kingdom called *Ireland*, by Order under his or their Hand or Hands respectively, to be published in the *London* or *Dublin* Gazette, as the Case may be, to direct that any such Alien or Aliens who may be within *Great Britain* or *Ireland* respectively, or who may hereafter arrive therein, shall depart this Realm, within a Time limited in such Order; and if any such Alien shall knowingly and wilfully refuse or neglect to pay due Obedience to such Order, or shall be found in this Realm or any Part thereof, contrary to such Order, after such Publication thereof as aforesaid, and after the Expiration of the Time limited in such Order, it shall be lawful for any of Her Majesty's Principal Secretaries of State, or for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, or for any Justice of the Peace, or for the Mayor or Chief Magistrate of any City or Place, to cause every such Alien to be arrested, and to be committed to the Common Gaol of the County

Power to Secretary of State or Lord Lieutenant of Ireland to order Aliens to depart this Realm.

If Aliens wilfully refuse to obey such Order, they may be committed to Gaol until taken in charge for the Purpose of being sent

County

out of the
Realm.

County or Place where he or she shall be so arrested, there to remain, without Bail or Mainprize, until he or she shall be taken in charge for the Purpose of being sent out of the Realm, under the Authority herein-after given.

Penalty on
Aliens dis-
obeying
such Or-
der.

II. And be it enacted, That every such Alien so knowingly and wilfully refusing or neglecting to pay due Obedience to any such Order as aforesaid shall be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court, be adjudged to suffer Imprisonment for any Time not exceeding One Month for the First Offence, and not exceeding Twelve Months for the Second and any subsequent Offence.

Aliens on
neglecting
to obey
Order may
be given in
charge by
Warrant
of Secre-
tary of
State or
Lord Lieu-
tenant of
Ireland, to
be convey-
ed out of
the King-
dom.

III. And be it enacted, That it shall be lawful for any One of Her Majesty's Principal Secretaries of State, or the Lord Lieutenant or Chief Governor or Governors of *Ireland*, in any Case in which any Alien shall be found in this Realm after the Expiration of the Time limited in such Order, and whether he or she shall or shall not have been arrested or committed for Refusal or Neglect to obey such Order, or convicted of such Refusal or Neglect, and either before or after such Alien shall have suffered the Punishment inflicted for the same, by Warrant under his Hand and Seal, to give such Alien in charge to One of Her Majesty's Messengers, or to any other Person or Persons to whom he shall think proper to direct such Warrant, in order to such Alien being conveyed out of the Kingdom; and such Alien shall be so conveyed accordingly: Provided always, that where such Alien (not having been convicted as aforesaid) shall allege any Excuse for not complying with such Order, or any Reason why the same should not be enforced, or why further Time should be allowed him or her for complying therewith, it shall be lawful for the Lords of Her Majesty's Privy Council in *Great Britain* or in *Ireland*, as the Case may be, to judge of the Sufficiency of such Excuse or Reason, and to allow or disallow the same either absolutely or on such Condition as they shall think fit; and where such Alien shall be in Custody under such Warrant of any of Her Majesty's Secretaries of State or of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* as aforesaid, the Messenger or other Person in whose Custody he or she shall be, forthwith upon its being signified to him that such Excuse or Reason is alleged by such Alien, shall make known the same to such Secretary of State, or to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, as the Case may be, who, upon receiving such Notification, or in any Case in which he or they shall be informed that any such Excuse or Reason is alleged by or on behalf of any Alien to quit the Realm, shall forthwith suspend the Execution of such Warrant until the

Where any
Alien shall
allege any
Excuse for
not com-
plying
with Or-
der, Privy
Council to
judge of
the Suffi-
ciency of the
same.

Matter

Matter can be inquired into and determined by the said Lords of Her Majesty's Privy Council; and such Alien, if in Custody under any such Warrant, shall remain in such Custody, or if not in Custody may be given in charge by any such Warrant as aforesaid, and shall remain in Custody until the Determination thereon shall be made known, unless in the meantime such Secretary of State, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall consent to or the said Lords shall make Order for the Release of such Alien, either with or without Security: Provided always, that the Lords of Her Majesty's Most Honourable Privy Council shall cause to be delivered to such Alien, in Writing, a general Summary of the Matters alleged against him or her, and shall allow him or her reasonable Time to prepare his or her Defence; and that it shall be lawful for him or her to summon and examine upon Oath Witnesses before the said Lords of Her Majesty's Most Honourable Privy Council, and to be heard before them, by himself or herself, or his or her Counsel, in support of the Excuse or Reason by him or her alleged.

IV. Provided always, and be it enacted, That in every Case in which Power is given by this Act to commit any Alien to Gaol without Bail or Mainprize, it shall and may be lawful for any Justices of Her Majesty's Courts of Record at *Westminster* or in *Dublin*, or for any of the Barons in *Great Britain* or *Ireland*, being of the Degree of the Coif, or for the Lord Justice Clerk or any of the Commissioners of Justiciary in *Scotland*, if upon Application made he shall see sufficient Cause, to admit such Person to Bail, he or she giving sufficient Security for his or her Appearance to answer the Matters alleged against him or her.

V. Provided nevertheless, and be it enacted, That where any Alien who shall have been committed under this Act to remain until he or she shall be taken in charge for the Purpose of being sent out of the Realm, shall not be sent out of the Realm within One Calendar Month after such Commitment, it shall in every such Case be lawful for any of the Justices of Her Majesty's Courts of Record at *Westminster* or in *Dublin*, or for any of the Barons in *Great Britain* or *Ireland*, being of the Degree of the Coif, or for the Lord Justice Clerk or any of the Commissioners of Justiciary in *Scotland*, or for any Two of Her Majesty's Justices of the Peace in any Part of the United Kingdom, upon Application made to him or them by or on the Behalf of the Person so committed, and upon Proof made to him or them that reasonable Notice of the Intention to make such Application had been given to some or One of Her Majesty's Principal Secretaries of State in *Great Britain*, or to the

Privy Council shall cause a Summary of Matters alleged against Alien to be delivered to him, &c.

Judges may admit Aliens to Bail in all Cases, if they see sufficient Cause.

Where Alien shall not have been sent out of the Realm within One Month after Commitment, Judges, &c. empowered, where Application has been made, to continue in, or discharge

such Alien out of Custody. the Lord Lieutenant or Chief Governor or Governors of Ireland, or his or their Chief Secretary, according to his or their Discretion, to order the Person so committed to be continued in or discharged out of Custody.

Act not to extend to Ambassadors, &c., or Aliens who have resided in the Kingdom for Three Years. VI. Provided always, and be it enacted, That nothing in this Act contained shall affect any Foreign Ambassador or other Public Minister duly authorized, nor any Person belonging to the diplomatic or domestic Establishment of any such Foreign Ambassador or Public Minister, registered as such according to Law, or being actually attendant upon such Ambassador or Minister, nor any Alien under the Age of Fourteen Years, or who shall have been residing within this Realm for Three Years next before the passing of this Act.

Duration of Act.

VII. And be it enacted, That this Act shall continue in force for One Year from the passing thereof, and until the End of the then next Session of Parliament.

Act may be repealed, &c.

VIII. And be it enacted, That this Act may be repealed or amended in the present Session of Parliament.

CAP. XXI.

An Act to consolidate and amend the Laws relating to Insolvent Debtors in India.—[9th June 1848.]

CAP. XXII.

An Act for granting Relief to the Island of Tobago, and for aiding the Colonies of British Guiana and Trinidad in raising Money for the Promotion of Immigration of free Labourers.—[9th June 1848.]

CAP. XXIII.

An Act to alter and amend an Act passed in the Third Year of the Reign of His Majesty King George the Fourth, intituled An Act to incorporate the Contributors for the Erection of a National Monument in Scotland to commemorate the Naval and Military Victories obtained during the late War.—[9th June 1848.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to incorporate the Contributors for the Erection of a National Monument in Scotland to commemorate the Naval and Military Victories obtained during the late War*, under the Provisions of which Act various Parties Contributors were incorporated under the Name of "The Royal Association of Contributors

Contributors to the National Monument of *Scotland* ;” and a Capital not exceeding Fifty thousand Pounds was authorized to be raised by Subscription and Contribution, for the Purpose of erecting a Building of ornamental Architecture appropriate to the Objects and Uses of a National Monument for *Scotland*, with a Church or Place for Divine Worship connected therewith, and Places of Sepulture beneath or connected with the same : And whereas a Site on the *Calton Hill* of *Edinburgh* was granted to the said incorporated Contributors for the Erection of the said National Monument by the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, and a Portion of the said Capital Sum was raised and expended in the Erection of Part of the said Monument, according to Plans thereof adopted by the Directors or Committee of Management, and sanctioned by General Meetings of the said Association ; but the Progress of the said Work has for a considerable Period been interrupted by the Want of the necessary Funds and by other Obstructions to its Prosecution : And whereas, in order to the renewed Prosecution and Furtherance of the said Work, it is expedient that the destined objects of the said Monument should be made in some respects more comprehensive, and in other respects be altered, and that the Sum authorized to be raised for its Construction should be increased, and that the Provisions for carrying out the Purposes of the Subscribers and Contributors should in regard to these and in other Particulars be amended : But as these Purposes cannot be effected without the Aid and Authority of Parliament ; May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said National Monument of *Scotland* shall no longer be restricted in its Objects to those specified in the said recited Act, but that the said Monument shall on its Completion be devoted to the Purpose of a Receptacle or Gallery for Monumental Busts and Statues or other Memorials of great and distinguished Persons of all Nations and Periods.

Objects of Monument made more comprehensive.

II. And be it enacted, That the Plan and Design of the said National Monument, in its external Architecture and in its internal Decorations, shall be such as has been already adopted by the said Directors or Committee of Management, and been approved of by the said Association : Provided always, that it shall be competent to the said Directors or Committee or to the said Association to make such alterations upon the Details of the said Plan from Time to Time as may seem expedient.

Design of Monument.

III. And

Power to
raise ad-
ditional
Funds.

III. And be it enacted, That it shall and may be lawful to and for the said Association of Contributors, for the Purposes aforesaid, to raise and contribute amongst themselves, or by Subscription or Contribution of others, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, in addition to the Monies authorised to be raised under the said recited Act.

Amount of
Shares, and
Qualifica-
tion of
Member-
ship.

IV. And be it enacted, That all and every such Person or Persons, Bodies Politic, Corporate, or Collègiate, who may have subscribed or shall subscribe to the Amount of Five Pounds Sterling each, whether towards the Capital authorized to be raised by the said recited Act or by this Act, and whether in One Payment or to be paid by such Instalments as may be required by the Committee of Management of the said Association, and their several and respective Successors, Executors, Administrators, and Assigns, shall be Members of the said Association, with all the Powers conferred by the said recited Act, and each Subscription to the Amount of Five Pounds shall constitute a Share in the Association; and the respective Subscribers shall be entitled to hold as many Shares in the same as they may hold Subscriptions therein to the Amount of Five Pounds.

Contribu-
tions under
5*l.* may be
received.

V. And be it enacted, That the said Association shall be entitled to accept of Subscriptions and Contributions from any Person or Persons, Body or Bodies Politic, Corporate, or Collègiate, to a less Amount from each than Five Pounds Sterling; but such Subscriptions and Contributions shall not entitle the Subscribers or Contributors to be Members of the Association, but shall be considered to be Donations only.

No party
to have
more than
Twenty
Votes.

VI. And be it enacted, That the Shareholders present at stated General and Special Meetings under the said recited Act shall have a Vote for each Share held by them, but that such Shareholder shall not be entitled to exercise more than Twenty Votes, although possessed of more than Twenty Shares in the said undertaking; and every Shareholder who is Proprietor of Five or more Shares, and who cannot attend such stated General and Special Meeting, shall be entitled to vote by Proxy for every Share held by such Shareholder, not exceeding Twenty Shares in the whole, although possessed of more than Twenty Shares in the said Monument, in the same Manner as is provided in regard to such Voting in the said recited Act.

Expenses
of Meet-
ings.

VII. And be it enacted, That the just and necessary Expenses of all Meetings of the said Association shall be defrayed from the Funds of the said Association.

Notice of

VIII. And be it enacted, in regard to all General Meetings
of

of the said Association held under the Provisions of the said recited Act, That Eight Days' previous Notice, by Advertisement in any One or more of the Newspapers published in *Edinburgh*, of such Meetings, shall be sufficient for the Purposes of the said Act and of this Act.

General Meetings.

IX. And be it enacted, in regard to the Meetings of the Committee of Management or Directors, That Notice given by the Secretary at least Three Days before any such Meeting shall be sufficient for the Purposes of the said recited Act and this Act.

Notice of Meetings of Committee.

X. And be it enacted, That no Person shall be eligible as an ordinary Director or a Member of the Committee of Management of the said Association who is not possessed of at least Five Shares in the said Association: Provided always, that the Lord Provost for the Time being of the City of *Edinburgh*, or in his Absence the Senior Bailie thereof, shall *ex officio* be a Director and Member of the said Committee of Management.

Qualification of Directors.

XI. And be it enacted, That the Secretary of the said Association for the Time being shall at no Time retain in his Hands a larger Sum than One hundred Pounds Sterling belonging to the said Association, and received or held by him for the Purpose of this or the said recited Act, but shall immediately pay into the Hands of the Treasurer all Sums exceeding that Amount which may from Time to Time be deposited with or have been uplifted by him.

Secretary not to retain Money in his Hands.

XII. And be it enacted, That the said Association shall no longer be obliged to construct or appropriate and set apart any Portion of the said Monument by this and the said recited Act authorized to be erected as a Church or Place for Divine Worship, and it shall not be necessary to make or construct Places of Sepulture beneath or connected with the said Monument, any thing in the said recited Act notwithstanding.

Church need not be constructed; nor Places of Sepulture.

XIII. And be it enacted, That so soon as the said Monument shall be completed a Special Meeting of the whole Shareholders shall be called and held, at which Meeting it shall be lawful for the Shareholders present or represented to declare by their Votes the Parties, not exceeding Fifteen in Number, to whom, amongst with the official Persons after mentioned, the Care and Preservation of the said Monument, and the Management and Control of the future Arrangements and Uses of the same, shall be committed as Trustees.

New Trustees to be elected.

XIV. And be it enacted, That the following Persons, and their respective Successors in Office, shall *ex officio* be the Trustees in whom, amongst with the other Parties to be declared at such Special Meeting or assumed in manner after mentioned, the

Monument to be vested in Trustees.

the said Monument shall be vested upon its Completion, for the Purposes before and after mentioned; (*videlicet*,) the Lord Justice General of *Scotland*, the Lord Justice Clerk of *Scotland*, the Lord Advocate of *Scotland*, the Solicitor General of *Scotland*, the Dean of the Faculty of Advocates, the Lord Provost of the City of *Edinburgh*, the Lord Provost of the City of *Glasgow*, and the Principals of the Universities of *Saint Andrew's Glasgow, Aberdeen, and Edinburgh*, all for the Time being.

Power to
appoint
new Trustees.

XV. And be it enacted, That it shall be lawful to the said Trustees to appoint from Time to Time other Persons to be Trustees, in the Room of any of the Trustees, not being Trustees *ex officio*, who may have died or resigned.

Committee
of Management
or Trustees
to decide
as to Reception
of Busts, &c.

XVI. And be it enacted, That it shall be lawful to the Committee of Management of the said Association during the Progress of the said Monument, and after the Completion thereof it shall be lawful to the Trustees to be appointed under and in virtue of this Act, and the said Committee and Trustees shall have the full and exclusive Right, to determine whether any Bust, Statue, or other Memorial shall be acquired for the said Monument, and whether any Bust, Statue, or other Memorial which shall be presented or tendered shall be received into the said Monument, and their Judgment and Decision in such Matter shall be final and conclusive, and they shall also have the exclusive Right of determining as to the Position and Disposal of such Busts, Statues, or Memorials within the said Monument: Provided always, that when any Bust, Statue, or Memorial shall have been received into the said Monument the same shall not be removed therefrom.

Association
and Trustees
may make
Bye Laws.

XVII. And be it enacted, That it shall be lawful to the said Association, at any General or Special Meeting thereof, during the Progress of the Work, and until the said Monument shall be vested in Trustees in manner before mentioned, and to the said Trustees after the said Monument shall be vested in them respectively, to make such Rules, Regulations, and Bye Laws as they shall think expedient, for Admission to view the said Monument or any Part thereof, or to study the Works of Art that may be deposited therein, or with which the same may be decorated, and for the Care and Preservation and Management and Control of the said Monument and Works of Art.

Quorum of
Trustees.

XVIII. And be it enacted, That three or more of the said Trustees present at any Meeting thereof shall be a Quorum for the Purposes of this Act.

Applica-
tion of

XIX. And be it enacted, That the Monies to be raised by the said Association in virtue of this and the said recited Act shall

shall be laid out and applied, in the first place, for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expenses incurred in applying for, obtaining, and passing this Act, and all the necessary Expenses preparatory and relative thereto; and all the Residue and Remainder of the said Monies shall be laid out and applied in erecting, completing, and preserving the aforesaid Edifice and Decorations thereof, and other Works connected therewith, and to no other Use, Intent, or Purpose whatsoever.

XX. And be it enacted, That the whole Powers and Provisions by the said recited Act and by this Act conferred on the Directors and Committee of Management of the said Association, in so far as the same shall be subsisting and capable of taking effect, shall be competent and applicable to and be exercised by the Trustees appointed and to be declared and assumed under and by virtue of this Act.

XXI. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such.

CAP. XXIV.

An Act for disfranchising the Freemen of the Borough of Great Yarmouth.—[30th June 1848.]

CAP. XXV.

An Act to extend the Powers given by former Acts for purchasing or hiring Land in connexion with or for the Use of Workhouses in Ireland; and for providing for the Burial of the Poor.—[30th June 1848.]

CAP. XXVI.

An Act to remove Difficulties in the Appointment of Collectors of Grand Jury Cess in Ireland in certain Cases, and to remove Doubts as to the Jurisdiction of the Divisional Justices of the Police District of Dublin Metropolis relating to the Recovery of Poor Rates, and other Cases.—[30th June 1848.]

CAP. XXVII.

CAP. XXVII.

An Act to authorize the Inclosure of Certain Lands, in pursuance of the Third and also of a Special Report of the Inclosure Commissioners for England and Wales.—[22d July 1848.]

CAP. XXVIII.

An Act to amend the Law of Imprisonment for Debt in Ireland, and to improve the Remedies for the Recovery of Debts, and of the Possession of Tenements situate in Cities and Towns, in certain Cases.—[22d July 1848.]

CAP. XXIX.

An Act to enable Persons having a Right to kill Hares in England and Wales to do so by themselves or Persons authorized by them, without being required to take out a Game Certificate.—[22d July 1848.]

CAP. XXX.

An Act to enable all Persons having at present a Right to kill Hares in Scotland to do so themselves, or by Persons authorized by them, without being required to take out a Game Certificate.—[22d July 1848.]

48 G. 3.
c. 55.

52 G. 3.
c. 93.

3 & 4 Vict.
c. 17.

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of King George the Third, intituled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith, and also for repealing the Stamp Duties on Game Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes*, and by an Act passed in the Fifty-second Year of the Reign of the said King George the Third, intituled *An Act for granting to His Majesty certain new and additional Duties of Assessed Taxes, and for consolidating the same with the former Duties of Assessed Taxes*, and by an Act passed in the Third Year of the Reign of Her present Majesty, intituled, *An Act for granting to Her Majesty Duties of Customs, Excise, and Assessed Taxes*, certain Duties of Assessed Taxes were granted to Her Majesty the Queen upon, amongst other things, every Person who shall use any Dog, Gun, Net, or other Engine

Engine for the purpose of killing any Game whatever, or shall assist in any Manner in the taking or killing of any Game: And whereas by divers Laws now in force Penalties are imposed on all Persons taking or killing, or assisting in the taking or killing of, amongst other things, any Game whatever, who shall not have obtained a Certificate of the due Payment of such Duties: And whereas it has been found that much Damage has been and continually is done by Hares to the Produce of Land, and that great Losses have been thereby sustained; and it is expedient that all Persons having at present a Right to kill and destroy Hares in *Scotland* should be allowed to do so without the Payment of the said Duties of Assessed Taxes, and without the incurring of any of the Penalties above mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for any Person having at present a Right to kill Hares in *Scotland* to do so himself, or by any Person permitted, directed, or commanded by him by any Writing under his Hand, without the Payment of any such Duties of Assessed Taxes as aforesaid, and without obtaining an annual Game Certificate: Provided always, that such Hares shall be found and killed in or upon his own Land; provided also, that no Person permitted, directed, or commanded as aforesaid shall have Power to authorize any other Person whatever to take or destroy any Hare.

Any Person having a Right to kill Hares in *Scotland* may do so without a Game Certificate, provided they shall be found on his own Land.

II. And be it enacted, That no person so permitted, directed, or commanded to kill Hares as aforesaid shall, unless otherwise chargeable, be liable to any Duties of Assessed Taxes as Game-keeper.

Such Persons not to be liable to Tax on Game-keepers.

III. And be it enacted, That from and after the passing of this Act it shall be lawful for any Person to pursue and kill or to join in the Pursuit and killing Hares by coursing with Greyhounds, or by hunting with Beagles or other Hounds, without the having obtained an annual Certificate.

To extend to coursing or hunting.

IV. Provided always, and be it enacted, That nothing herein contained shall extend or be taken or construed to extend to the making it lawful for any Person, with Intent to Destroy or injure any Hares or other Game, to put or cause to be put any Poison or poisonous Ingredient on any Ground, whether open or inclosed, where Game usually resort, or in any Highway, or for any Person to use any Fire-arms or Gun of any Description, by Night, for the Purpose of killing any Game or Hares.

Not to permit the Destruction of Hares, &c. by Poison.

V. And

Interpre-
tation of
Act.

V. And be it enacted, That in the Interpretation of this Act the Singular Number shall extend to several Persons and Things as well as to one Person or Thing; and any Word importing the Plural Number shall apply to one Person or Thing as well as to several Persons or things; and every Word importing the Masculine Gender only shall extend to a Female as well as a Male; and the word "Night" shall be considered and is hereby declared to commence at the Expiration of the first Hour after Sunset, and to conclude at the Beginning of the last Hour before Sunrise.

Only to
apply to
Scotland.

VI. And be it enacted, That this Act shall not extend to *England and Ireland*.

Act may be
amended,
&c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. XXXI.

An Act to amend the Procedure in respect of Orders for the Removal of the Poor in England and Wales, and Appeals therefrom.—[22d July 1848.]

CAP. XXXII.

An Act to facilitate the Collection of County Cess in Ireland.—[22d July 1848.]

CAP. XXXIII.

An Act to apply the sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-eight.—[22d July 1848.]

CAP. XXXIV.

An Act to amend certain Acts in force in Ireland in relation to Appeals from Decrees and Dismisses on Civil Bills in the County of Dublin and County of the City of Dublin.—[22d July 1848.]

CAP. XXXV.

CAP. XXXV.

An Act to empower the Lord Lieutenant, or other chief Governor or Governors of Ireland, to apprehend and detain until the First Day of March, One thousand eight hundred and forty-nine, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.—[25th July 1848.]

CAP. XXXVI.

An Act for the Amendment of the Law of Entail in Scotland.—[14th August 1848.]

WHEREAS the Law of Entail in *Scotland* has been found to be attended with serious Evils, both to Heirs of Entail and to the Community at large, and it is expedient that the same be amended in manner herein-after provided for: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Estate in *Scotland* shall be entailed by a deed of Tailzie dated on or after the First Day of *August* One thousand eight hundred and forty-eight it shall be lawful for any Heir of Entail born after the date of such Tailzie, being of full Age, and in possession of such entailed Estate by virtue of such Tailzie, to acquire such Estate, in whole or in part, in Fee Simple, by applying to the Court of Session for Authority to execute and executing, and recording in the Register of Tailzies, under the Authority of the Court, an Instrument of Disentail in the Form and Manner herein-after provided; and it shall be lawful for any Heir of Entail, being of lawful Age, and in possession of such entailed Estate by virtue of such Tailzie, though born before the date of such Tailzie, with the Consent, and not otherwise, of the Heir next in succession, being Heir Apparent under the Entail of the Heir in possession, to acquire such Estate, in whole or in part, in Fee Simple, by applying to the Court for Authority to execute and executing, and recording in the Register of Tailzies, under the Authority of the Court, an Instrument of Disentail in the Form and Manner herein-after provided: Provided always that such Consent to such Instrument of Disentail shall not be valid and effectual unless granted by a Person of the Age of Twenty-five Years complete, not subject to any legal Incapacity, and born after the Date of the Tailzie to which such Instrument applies.

Heir born after the Date of any future Entail may disentail the Estate; born before, may do so with Consent of Heir next in succession, being Heir Apparent under the Entail.

II. And

Heir in possession under an existing Entail born after 1st August 1848 may disentail; born before that Date, may do so with Consent of Heir next in succession, being Heir Apparent born after 1st August 1848.

II. And be it enacted, That where any Estate in *Scotland* is held by virtue of any Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight it shall be lawful for any Heir of Entail born on or after the said First Day of *August*, being of full Age, and in possession of such Entailed Estate by virtue of such Tailzie, to acquire such Estate, in whole or in part, in Fee Simple, by applying to the Court of Session for Authority to execute and executing, and recording in the Register of Tailzies, under the Authority of the Court, an Instrument of Disentail, in the Form and Manner herein-after provided; and it shall be lawful for any Heir of Entail, though born before the said First Day of *August* One thousand eight hundred and forty-eight, being of full Age, and in possession of such entailed Estate by virtue of such Tailzie dated prior to the said First Day of *August*, with the Consent (and not otherwise) of the Heir next in succession, being Heir Apparent under the Entail of the Heir in possession, he being born on or after the said First Day of *August* One thousand eight hundred and forty-eight, and being of the Age of Twenty-five Years complete at the Time of granting such Consent, and not subject to any legal Incapacity, to acquire such Estate, in whole or in part in Fee Simple, by executing, under Authority of the Court, an Instrument of Disentail as aforesaid, in the Form and Manner herein-after provided.

Heir of Entail under an existing Entail may disentail, with certain Consents.

III. And be it enacted, That it shall be lawful for any Heir of Entail, being of full Age, and in possession of an entailed Estate in *Scotland* holden by virtue of any Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight, to acquire such Estate, in whole or in part, in Fee Simple, by applying to the Court of Session for Authority to execute and executing, and recording in the Register of Tailzies, under the Authority of the Court, an Instrument of Disentail in the Form and Manner herein-after provided: Provided always, that such Heir of Entail in possession shall be the only Heir of Entail in existence for the Time, and unmarried, or otherwise shall have obtained the Consents of the whole Heirs of Entail, if there be less than Three in being at the Date of such Consents and at the Date of presenting such Application, or otherwise shall have obtained the Consents of the Three nearest Heirs who at the said Dates are for the Time entitled to succeed to such Estate in their order successively immediately after such Heir in possession, or otherwise shall have obtained the Consents of the Heir Apparent under the Entail and of the Heir or Heirs, in Number not less than Two, including such Heir Apparent, who in Order successively would

would be Heir Apparent: Provided also, that the nearest Heir of Entail for the Time entitled to succeed to such Estate immediately after such Heir in possession, where any such other Heir exists, shall be of the Age of Twenty-five Years complete, and not subject to any legal Incapacity.

IV. And be it enacted, That it shall be lawful for any Heir of Entail, being of full Age, and in possession of an entailed Estate in *Scotland*, with such and the like Consents as by this Act would enable him to disentail such Estate, to sell, alienate, dispoise, charge with Debts or Incumbrances, lease and feu such Estate, in whole or in part, and that unconditionally, or subject to Conditions, Restrictions, and Limitations, according to the Tenor of such Consents, the Authority of the Court of Session being always obtained thereto in the Form and Manner herein-after provided; and such Heir of Entail shall be entitled to make and execute, at the Sight of the Court, all such Deeds of Conveyance and other Deeds as may be necessary for giving Effect to the Sales, Dispositions, Charges, Leases, or Feus so made and granted.

Heir of Entail may sell, charge, lease, and feu, with the like Consents as enable him to Disentail.

V. And be it enacted, That it shall be lawful for any Heir of Entail, being of full Age, and in possession of an entailed Estate in *Scotland* holden by him by virtue of any Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight, with the Consent of the whole Heirs of Entail if there be less than Three in being at the Date of such Consents and at the Date of presenting Application for the Authority of the Court as after mentioned, or otherwise with the Consent of the Three nearest Heirs who at the said Dates are for the Time entitled to succeed to such Estate in their Order successively immediately after such Heir in possession, or otherwise with the Consent of the Heir Apparent under the Entail, and of the Heir or Heirs, in Number not less than Two, including such Heir Apparent, who in Order successively would be Heir Apparent, to excamb such Estate, in whole or in part, the Authority of the Court of Session being always obtained thereto in the Form and Manner herein-after provided, and such Heir of Entail in possession shall be entitled to make and execute, at the sight of the Court, all such Contracts of Excambion and other Deeds as may be necessary in order to give effect to such Excambions, by the Substitution of the Lands to be acquired in the Room and Place in all respects of the Lands to be dispoised.

Heir of Entail under existing Entail may excamb, with certain Consents.

VI. And be it enacted, That where any Heir of Entail in possession of an entailed Estate in *Scotland* shall apply to the Court of Session under this Act in order to disentail such Estate, in whole or in part, or to sell, alienate, dispoise, charge

Provision for Dis-closure of Entailer's Debts with

which
affect the
Estate
disen-
tailed.

with Debts or Incumbrances, lease, feu, or excamb the same or any Part thereof, he shall make and produce in such Application an Affidavit setting forth that there are no Entailer's Debts or other Debts, and no Provisions to Husbands, Widows, or Children, affecting or that may be made to affect the Fee of the said entailed Estate or the Heirs of Entail. or, if there are such Debts or Provisions, setting forth the Particulars of the same, with the Amounts thereof respectively, Principal, Interest, and Expenses, and the Vouchers by which the same are instructed, and the Names, Designations, and Residences of the Parties in right of the same; and the Court shall not proceed with such Application until such Affidavit is lodged; and, if the Court shall see Cause, Intimation of such Application may be ordered to be made to the Parties in right of the said Debts or Provisions or any of them, with a view to such Parties appearing for their Interest, if they shall see fit; and it shall be lawful for the Court to order such Provision as may appear just to be made for such Debts or Provisions, or for the Protection of the Parties in right of the same, before granting the Authority sought for in such Application, or as the Condition of granting the same; and any Person who shall wilfully make such Affidavit falsely shall be deemed to be guilty of Perjury, and be punishable accordingly.

Creditors
in En-
tailer's
Debts, &c.
using Inhi-
bition not
to be af-
fected by
Instru-
ment of
Disentail.

VII. And be it enacted, That any Party in right of an Entailer's Debt or of any other Debt, or of any Provision to a Husband, Widow, or younger Child, affecting or that may be made to affect the Fee of any entailed Estate in *Scotland*, and who before the Expiry of One Year from the Date of recording an Instrument of Disentail of such Estate in the Register of Tailzies shall use and record Inhibition in reference to such Debt against the Heir of Entail in possession of such Estate for the Time, shall be entitled to affect such Estate in respect of such Debt or Provision as if no such Instrument of Disentail had been recorded as aforesaid, and no Debt or Charge on such Estate, or Right whatsoever therein, which would not have competed with such Debt or Provision had such Instrument of Disentail not been recorded, shall be allowed to compete therewith by reason of the recording of such Instrument of Disentail.

Settle-
ments by
Marriage
Contract
not to be
disap-
pointed.

VIII. And be it enacted, That where any Heir of Entail in possession of an entailed Estate in *Scotland* holden by virtue of any Tailzie dated prior to the said First Day of *August* One Thousand eight hundred and forty-eight, or the Heir Apparent to such Estate, shall, together or separately, have secured by Obligation in any Marriage Contract the Descent of such Estate upon the Issue of the Marriage in reference to which such Contract is entered into, it shall not be competent for

for such Heir of Entail in possession, or Heir Apparent, or either of them, to apply for or to consent to the Disentail of such Estate, until there shall be born a Child of such Marriage capable of taking the Estate in Terms of such Contract, and who, by himself or his Guardian, shall consent to such Disentail, or until such Marriage shall be dissolved without such Child being born, unless the Trustee or Trustees named in such Contract, or the Party or Parties at whose sight the Provisions of the Contract are directed to be carried into execution, shall concur in such Application or Consent.

IX. And be it enacted, That where any Heir of Entail called to the Succession of an entailed Estate in *Scotland* by any Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight shall have borrowed Money previous to the passing of this Act on the Security or Credit of his Right of Succession to or Interest in such entailed Estate, such Heir shall not be entitled to give consent to any Application under this Act which shall be opposed by any Creditor to whom such Heir stands indebted in respect of Money borrowed as aforesaid, and who shall either hold Infeftment in the entailed Estate, duly recorded, in security of his said Debt, or shall enter Appearance, and prove the same, in the course of the Proceedings under such Application : Provided always, that it shall be competent to the Court of Session, if, with reference to any offer of adequate Security, or otherwise in the Circumstances, it shall deem the Opposition on the Part of such Creditor to be unreasonable, to disallow the same, and to give effect to the Consent of such Heir.

Heirs of Entail not to give Consent in opposition to Creditors in Debts now existing.

X. And be it enacted, That where any Heir Apparent of an entailed Estate in *Scotland* under a Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight shall subsequent to the passing of this Act borrow Money on the Security or Credit of his Right of Succession to or Interest in such entailed Estate, such Heir Apparent shall not be entitled to give Consent to any Application under this Act, except under the like Circumstances as would have enabled him to give Consent, and to have his Consent allowed, had such Money been borrowed previous to the passing of this Act ; but the Consents of the other Heirs Substitute shall be given and allowed independently of the Rights of any such Creditors.

Heir Apparent under future Tailzie not to give Consent in opposition to his Creditors.

XI. And be it enacted, That any Creditor of an Heir of Entail in possession of an entailed Estate in *Scotland* who is by this Act empowered by himself alone, without the Consent of any other Party, to acquire such Estate in Fee Simple, by executing and recording an Instrument of Disentail as aforesaid,

Creditor of an Heir empowered to disentail may affect the Estate for said,

Payment
of his
Debt.

said, shall be entitled to affect such Estate for Payment of Debt, and have the same Rights and Interests therein as if such Instrument of Disentail had been duly executed and recorded, albeit such Heir in possession may not have duly executed and recorded such Instrument of Disentail.

Acts 10 G.
3. c. 51.
and 5 G.
4. c. 87. not
to apply to
future
Tailzies.

XII. And whereas an Act was passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of Great Britain called Scotland held under Settlements of strict Entail*; and another Act was passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to authorize the Proprietors of entailed Estates in Scotland to grant Provisions to the Wives or Husbands and Children of such Proprietors*; be it enacted, That neither of the Two last recited Acts shall be applicable to any Tailzie dated on or after the First Day of *August* One thousand eight hundred and forty-eight.

Heir
having ob-
tained De-
cree for
Expense of
Improve-
ments may
grant Bond
of annual
Rent.

XIII. And be it enacted, That where an Heir of Entail in possession of an entailed Estate holden by virtue of any Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight shall have executed Improvements on such Estate previous to the passing of this Act, and shall have obtained Decree for Three Fourth Parts of the Sums expended thereon, in terms of the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third, and shall also have obtained the Authority of the Court of Session as after mentioned, it shall be lawful for such Heir to execute, in favour of any Party he may think fit, a Bond of annual Rent in ordinary Form over such entailed Estate or any Portion thereof, binding himself and his Heirs of Tailzie to make Payment of an annual Rent during the Period of his own Life and Twenty-five Years thereafter, such annual Rent during his own Life not exceeding the legal Interest of the said Three Fourth Parts of the Sums expended as aforesaid, and during the Twenty-five Years after his Decease not exceeding the Sum of Seven Pounds Two Shillings for every One hundred Pounds of such Three Fourth Parts as aforesaid, and so in proportion for any greater or less Sum, and such annual Rent being payable by equal Moieties half-yearly at the Terms of *Whitsunday* and *Martinmas*, beginning the first Term's Payment at the first Term of *Whitsunday* or *Martinmas* after the Date of the Bond, for the Proportion of annual Rent then due, with legal Interest, and Penalties in case of Failure.

Heir in
future ex-

XIV. And be it enacted, That where an Heir of Entail in possession of an entailed Estate holden by virtue of any Tail-
zie

zie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight shall execute Improvements on such Estate subsequent to the passing of this Act, and obtain Decree for Three Fourth Parts of the Sums expended thereon, in Terms of the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third, and shall also obtain the Authority of the Court as after mentioned, it shall be lawful for such Heir of Entail to execute, in favour of any Party he may think fit, a Bond of annual Rent in ordinary Form over such entailed Estate or any Portion thereof, binding himself and his Heirs of Tailzie to make Payment of an annual Rent during the Period of Twenty-five Years from and after the Date of such Decree, or during such Part of the said Period of Twenty-five Years as may remain unexpired at the Date of such Bond, such annual Rent not exceeding the Sum of Seven Pounds Two Shillings for every One Hundred Pounds of the whole of the Sums expended as aforesaid, and so in proportion for any greater or less Sum, and being payable half-yearly by equal Moieties at the Terms of *Whitsunday* and *Martinmas*, beginning the first Term's Payment at the first Term of *Whitsunday* or *Martinmas* after the Date of the Bond, for the Proportion of annual Rent then due, with legal Interest, and Penalties in case of Failure.

pending
Money in
Improve-
ments may
grant
Bond of
annual
Rent.

XV. And be it enacted, That where any Heir of Entail in possession of an entailed Estate in *Scotland* shall have executed Improvements on such Estate prior to the passing of this Act, and recorded the same in Terms of the said last-recited Act, and died without having executed a Bond of annual Rent as herein-before authorized, or having charged the Estate as herein-after authorized, and where Decree shall have been obtained, in Terms of the said last-recited Act, for Three Fourth Parts of the Sums expended thereon, it shall be lawful for the Executor or personal Representative of such Heir of Entail, or for any Party to whom such Heir may have conveyed or assigned such Debt, to make Application by summary Petition to the Court of Session, praying the Court to decern and ordain the Heir in possession of such entailed Estate to execute, in favour of any Party such Petitioner may think fit, a Bond of annual Rent in ordinary Form over such entailed Estate or any Portion thereof, binding himself and his Heirs of Tailzie to make payment of an annual Rent during the Period of Twenty-five Years from the Date of the Death of the Heir of Entail who shall have executed the Improvements, such annual Rent not exceeding the Sum of Seven Pounds Two Shillings for every One hundred Pounds of such Three Fourth Parts aforesaid, and so in proportion for any greater or less Sum,

Executor
may call
on Heir in
possession
to grant
Bond of
annual
Rent.

Sum, and such annual Rent being payable half-yearly by equal Moieties at the Terms of *Whitsunday* and *Martinmas*, beginning the first Term's Payment, notwithstanding the Date of such Bond of annual Rent, at the first Term of *Whitsunday* or *Martinmas* after the Date of the Death of the Heir of Entail who shall have executed the Improvements, for the Proportion of annual Rent then due, with legal Interest, and Penalties in case of Failure, which Bond such Heir of Entail in possession shall be bound to execute accordingly at the Sight of the Court: Provided always that the Heir of Entail in possession required to grant and granting such Bond shall be entitled to impute towards Payment of the Sums thereby due any Excess of Sums which may have been paid by or recovered from him in Payment of the said Improvement Debt beyond the Amount of annual Rents due from and after the Decease of the Heir who shall have executed such Improvements.

Proceed-
ings where
Improve-
ments not
executed
in Terms
of 10 G. 3.

XVI. And be it enacted, That where an Heir of Entail in possession of any entailed Estate holden by virtue of any Tailzie dated prior to the said First day of *August* One thousand eight hundred and forty-eight shall, whether prior or subsequent to the passing of this Act, have executed Improvements on such Estate of the Nature of the Improvements contemplated by the said last-recited Act, but shall not have obtained Decree therefor in Terms of the said Act, by reason of the Provisions thereof not having been adopted or not having been duly complied with, it shall be lawful for such Heir to apply by summary Petition to the Court in manner herein-after provided, setting forth such Improvements, and the Amount of Money, not exceeding the Amount authorized by the said Act, expended thereon, and praying the Court for Authority to grant Bond of annual Rent as is herein-before provided in the Case of Improvements for which Decree in Terms of the said Act has been obtained; and the Court shall, after such Proceedings as they may think fit to direct or to adopt, proceed to consider such Application, and to take such Evidence, and institute such Inquiry into the Facts alleged in such Petition, as they shall judge necessary; and if it shall appear to the Court that such Improvements are of the Nature contemplated by the said Act, and that such Expenditure was *bona fide* made, they shall find accordingly, and shall also grant Warrant for Execution of a Bond of annual Rent as herein provided in the Cases of Improvements for which Decree in Terms of the said Act has been obtained.

No Adjudi-
cation for
annual
Rent.

XVII. And be it enacted, That so long as any entailed Estate remains subject to the Tailzie thereof, or is not liable to be disentailed by the Heir of Entail in possession without the
Consent

For the Shire of Dumfries.

Right Honourable Viscount Drumlanrig, Sir John Heron Maxwell Springkell Baronet, Sir Alexander Grierson Lagg Baronet, Alexander Jardine younger Applegirth, Alexander Renton Sharpe Hoddam, Lieutenant Colonel Thomas Johnston younger Carnsalloch, John Lawrie Maxwellton, William Francis Carruthers younger Dormont, John Murray younger Murraythwaite, George Armstrong Castlemills, David Dalzell Glenae, David Sandeman Kirkwood, James Grierson Capenoch, Alexander Maxwell Glengaber, Andrew Pringle Lann M.D., Hugh Corrie younger Steelston, John Gilchrist Clark Speddoch, James Johnstone Grange, Charles Brodie Bush, John Moffat Preston House, Andrew Jardine Lanrick Castle, John Hetherston Carruthers Denbie, John Stott Netherwood, James Armstrong Dunesslin, John Harley Maxwell younger Portrack, John Leadbetter Shaws, William Jardine younger Granton, William Francis Hunter Arundell Barjarg, John Jackson Amisfield, James M'Kune Netherwood, William Patterson younger Bucklehust, Thomas Simson Dalaroody.

For the Shire of Wigtown.

William Henry Stopford Blair Penninghame, Robert Adamson Polbae.

For the Stewartry of Kirkcudbright.

James Andrew Blairinnie, James Armstrong Marwhirn, Thomas Biggar Crochmore, George Bruce Slogarie, Sir William Gordon Letterfourie, Walter Farquhar Johnston Garroch, John M'Queen Crofts, Samuel Macadam Shalloch, Charles Lionel Maitland Kirwan, Auchlane, Francis Maxwell Drumpark, Sir William Miller Glenlee, David Maitland Barcaple, Archibald Christie Sanderson Glenlaggan, Robert Weems Kirkennan, Robert Maxwell Witham Kirkconnell.

For the Shire of Ayr.

Alexander Wylie Halkit, Robert Duncan Brockelmuir, Robert Reid Balgroy, James Macalaster Chapeltown, James Morton Belmont, Reverend John Crabb Blair Warren Giffordland, John Hoggarth Young Milgarholm, John Crichton Linn, Robert Robertson Saint Ninian, Alexander Oswald M.P., Right Honourable Patrick James Herbert Crichton Stuart commonly called Lord James Stuart M.P., Honourable Edward Pleydell Bouverie M.P.

For

For the Shire of Dumbarton.

Right Honourable Charles Stuart Lord Blantyre, Sir James Colquhoun Luss Baronet, Sir Archibald Kay Campbell Succoth Baronet, Robert Spreul Crauford Aitchison Alexander Airdrie, George Buchanan Arden, Andrew Buchanan Auchintorlie, John Buchanan Carbeth, Thomas Graham Buchanan, James Gray Buchanan Ardoch, Thomas Buchanan younger Ardoch, John Bartholemew Broomhill, William Bontine Ardoch, John Campbell Colquhoun Killermont, Colin Campbell Peatoun, John Campbell Colquhoun Milligs, Alexander Campbell Bedlay, Colin Campbell Colgrain, Colin Campbell younger Colgrain, Arthur Campbell Condonat, William Campbell Tillichewan, James Campbell younger Tillichewan, Alexander Campbell Barnhill, Neil Colquhoun Campbell younger Barnhill, Humphrey Walter Campbell College Park, Walter Duncan Bogedde, William Dunn Duntocher, John Campbell Douglas Mains, Alexander Dunlop Advocate, Walter Dickson Writer to the Signet, James Robert Dennistoun, Alexander Dennistoun Muckeroft, James Duncan Auchindarrie, Thomas Duncan Tweehar, Thomas Duncan Dullatur, John Duncan Tweehar and Badenheath, Robert Buchanan Dunlop Drumhead, James Donaldson Keppoch, James Dalrymple Woodhead, Honourable Mountstuart Elphinstone, William Ellis, James Ewing Strathbeven, John Orr Ewing Arden, John Freeland Wester Mains, John Elphinstone Fleeming Cumbernauld, Robert Findlay Battunich, John Murray Gartshore Gartshore, Robert Cunningham Cunningshame Graham Gartmore, Henry Glassford Douglastone, William Graham, John Edward Geils Dumbuck, James Gray Auchingieich, Robert Gray Bedcow, James Hamilton Barns, James Hozier St Enoch's, Robert Muirhead Kirkwood Waterhead, William Kippen Westerton, John Lennox Kincaid Lennox Kincaid and Woodhead, John Cunningham Leny Gartocham, Henry Monteith Carstairs, Robert Duncanson Mackenzie Caldarran, William M'Allister Auchincarroch, James Macnair Auldmarroch, Alexander M'Grigor Woodilee, Walter M'Indoe Shanaglis, William M'Farlane Shirea, Major John Orr Dullatur, Alexander Smollett Bonhill, John Ferguson Sharpe Orchardtown, Alexander Grahame Speirs Culcreuch, Gibson Stott Balloch Castle, Walter Stewart Balloch, Robert Napier Sharpe Kilmahew, John Ferguson Sharpe younger Orchardtown, John Tait, William Wallace Auchimole, Andrew Buchanan Yuille Darlieth.

For

For the Shire of Renfrew.

Sir Hew Crawford Pollock *Upper Pollock* Baronet, *Sir* Archibald Islay Campbell *Succoth* Baronet, Robert Brodie *Norvalstone*, Andrew Buchanan *Hillington*, William Cunningham Bontine *Ardoch*, James Dennistoun *Dennistoun*, William Dixon *Govanhill*, John Gordon *Aikenhead*, James Maxwell *Graham Williamwood and Bogtoun*, John Hamilton *younger Greenbank*, John Henderson *Park*, William Mure *younger Caldwell*, John Mair *late of Plantation*, Alexander M'Culloch *Craigbeat*, Robert J Milliken Napier *younger Napier*, Allan Pollock *younger Faside*, Arthur Pollock *Lochlibo*, Archibald Smith *younger Jordanhill*, John May *Sommerville Broadfield and Broomrigs*.

For the Shire of Stirling.

John Murray *Touchadam*, David Steuart *Steuart Hall*, James Graham Adam *Denovan*, William Maclachlan *Auchintroig*, Henry Ritchie Cooper *Ballindalloch*, James Smith *Polmont House*, *Sir* Alexander Gibson Maitland *Clifton Hall*.

For the Shire of Perth.

Alexander Alison *Blair Logie*, James Vaughan Allen *Inchmartin*, James Beveridge *Easter Deuglie*, John Harvey Brown *Shiargarton*, George Spankie Mitchell Burden *Feddal*, *Sir* David Baird *Newbyth*, Baird *younger Newbyth*, James Brugh *Cloan*, James Brugh *younger Cloan*, Colquhoun *younger Clathie*, John Livingstone Campbell *Achalader*, James Nicoll Constable *Balmyle and Cally*, George Nicoll Constable *younger Balmyle and Cally*, George Condie *younger Whitehill Struie*, Maurice Craigie *Dunbarnie*, George Constable *Waterybutts*, John Cunningham *Huntingtower*, *Sir* David Dundas *Ochertyre*, M.P., William Dick *Tullymet*, John Stewart Drummond *Braco*, Robert C C Graham *Gartmore*, Oliver Graham *Meiklewood*, Captain John George Graham *Coldoch R.N.*, William Geekie *Gartloch*, John Gardiner *Rotearns*, Robert Haig *Wester Glenshenuss*, Archibald Horne *Balvarran*, David Henderson *Gattaway*, William Henderson *Mylnefield*, John Hutchison *Ashmore*, Andrew Jardine *Lanrick*, Robert Landale *Pitmeddan*, William Marshall *Callendar W.S.*, Robert Graham Moir *Leckie*, Patrick Murray *younger Ochertyre*, Anthony George Murray *younger Dollerie*, James Maxtone *Cultoquhey*, Reverend Alexander Maxtone *Ardbennie*, William Marshall *Gartchonzie*, Robert

Robert Scott Moncrieff, *Fossoquhey*, Robert Menzies *Dalnagairn*, Alexander Mitchell *Hencairing*, William Macdonald Macdonald *Saint Martin's*, James Macewan *Tar*, John Macqueen *Burnhead*, John M'Intosh *Lenochmore*, Doctor John Mac Gregor *Fonab*, John Nicoll *younger Feu*, John Meliss Nairne *Dunsinane*, Lieutenant Colonel John Pennycook *Soilerzie*, William Peddie *Blackruthven*, James Playfair *Westfield*, Charles Playfair *Wester Denhead*, William D Proctor *Glenkilrie*, George Paterson *Castlehuntly*, John Davie Morris Stirling *Gogar*, James Speid *Forneth*, Robert Spiers *Culdees*, William Smythe *Methven*, Patrick Brugh Smeatton *Coul*, Patrick Brugh Smeatton *younger Coul*, William Thomson *Balgowan*, William S Turnbull *Huntingtower*, David Urquhart *Gartchonzie*, Adam L Wardlaw *Fordell*, Robert Peddie *younger Blackruthven*.

For the Shire of Aberdeen.

Alexander Anderson *Candaraig*, Charles Gordon *Fyrie*, Peter Ettershank Gordon *Mosstown*, William Gibson *Easter Kimmundy*, James Michael Leslie *Balquhain*, Hugh Leslie *Powis*, Reverend Duncan Mearns *Disblair D.D.*, Crawford Noble *Cocklaw*, Robert Smith *Glenmillan*, William Stephen Kimmundy, Robert Still Millden, William Yeats *Auguharney*.

For the Shire of Nairn.

Lieutenant General Sir Henry Frederick Campbell *K.C.B.* Thomas Trotter *Writer to the Signet*, Arthur Forbes *Culloden*, John Gordon *Cluny*, Honourable William Howard, Honourable George Pryse Campbell *Captain R.N.*, William Brodie *Brodie*, Sir William Gordon Gordon Cumming *Baronet*, John Lachlan M'Gillivray *Dunmaglass*, George Mackintosh *Geddes*, Reverend James Grant *Nairn*, James Augustus Grant *Vierfield*, John Baillic Rose *Ridravock*, James Campbell Brodie *Lethen*, Reverend Alexander Rose *D.D. Inverness*, Sir Frederick William Dunbar *Boath Baronet*, John Dougal *Glenferness, the Sheriff and Sheriff Substitute of the County of Nairn, the Provost, Senior Bailie, Dean of Guild, and Treasurer of the Burgh of Nairn, and the Baron Bailies of Carrdor, all for the Time being.*

For the Shire of Fife.

R J Aytoun *younger Pourin*, Alexander John Anderson *younger Montrave*, Charles Balfour *Balgonie*, Alexander

Alexander Bethune *Blebo*, Allan Briggs *Gordonshall*, David Cook *Carphin*, Charles Julian Maitland Crichton *younger Rankelour*, George Campbell *younger Edenwood*, Alexander Cheape *Lathockar*, Thomas Graham Dundas *Rossend*, William R Fortune *Muircambus*, George Mercer Henderson *Fordel*, John Inglis *Ballenkirk*, James Inglis *Kirkmay*, Alexander Johnston *Foxton*, Alexander Hyd Lindsay *Balmungo*, Alexander Lawson *Burnturk*, James Lindsay *Feddinch*, Captain James Maitland *Grange* R.N., George John Whyte Melville *younger Bennoch* and Strathkinness, James G M'Kenzie *Forret*, James Newton *Castlandhill*, Captain James Townsend Oswald *Dunnikier*, William Lindsay Paterson *Cunnoquhie*, Alexander Russell *Kenlygreen*, Alexander Russell *younger Myrecairnie*, James A Stewart *Carnock*, William Scott *Dalgairn*, William Sievewright *Greenside*, John Anstruther Thomson *Charleton*, Alexander Watson Wemyss *Denbrae*, Thomas Whitson *Fingask*.

For the Shire of Forfar.

Alexander Lyall *younger Gardyne*, Honourable Stuart Wortley *eldest Son of Lord Wharnccliffe*, Sir James Campbell *Stracathro*, James Alexander Campbell *younger Stracathro*, William Kennedy Erskine *Dun*, James Carnegie *younger Southesk*, Peter Bairnsfather *Dumbarrow*, Robert Eglinton *Charlton*, William Macdonald Macdonald *Rossie*, John Watt, Easter Meathie, William Kerr *Finlarg*, Barrow Graham *Ballindarg*, George Ramsay Ogilvy *Westhall* Advocate, Thomas Robertson Chaplin *Colliston*, Colin Symers *Eassie*, Patrick Hunter Thomas *Aberlemno*, James Nicholl *Kinchune*, Peter Bell *Balconnell*, John Skair *Lunanbank*, Oliver Gourlay Miller *Pittendriech*, Andrew Whitton *Couston*.

For the Shire of Sutherland.

James Matheson *Achany*, Daniel Gilchrist *Ospisdale*.

For the Shire of Caithness.

George Sutherland *Forse*.

For the Stewartry of Orkney and Zetland.

Robert Bell *Lunna*, David Dacres Black *Kergord*, Robert Neven Spence *Windhouse*, Robert John Thomas Spence *younger Windhouse*.

Powers of
former
Acts ex-
tended to
this Act.

II. And be it enacted, That all the Powers, Authorities, Provisions, Matters, and Things contained in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, and in the said several recited Acts, and in any other Act in force in relation to any Acts, Matters, and Things to be done by Commissioners of Land Tax, shall extend to this Act, and to the Commissioners named therein, and shall be construed therewith, as fully and effectually to all Intents and Purposes whatsoever, as if the same had been severally and separately repeated and re-enacted in this Act, and made Part thereof.

CAP. LXIII.

An Act for promoting the Public Health. (England & Wales, except the City of London.)—[31st August 1848.]

CAP. LXIV.

An Act to continue until the First Day of October One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, an Act to amend the Laws relating to Loan Societies.—[31st August 1848.] (England & Wales.)

CAP. LXV.

An Act to suspend, until the First Day of October One thousand eight hundred and forty-nine, the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.—[31st August 1848.]

§ I. General and Subdivision Meetings relating to the Militia suspended.—II. Proceedings may be had during such suspension by Order of Council.—III. Act to extend to Wardens of Stanmeries and to Corps of Miners.—IV. Act may be amended, &c.

CAP. LXVI.

An Act to continue to the First Day of October One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads.—[31st August 1848.] (England & Wales.)

CAP. LXVII.

CAP. LXVII.

An Act for further continuing, until the First Day of August One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.—[31st August 1848.]

CAP. LXVIII.

An Act for extending to Ireland an Act passed in the last Session of Parliament, intituled An Act for better securing Trust Funds, and for the Relief of Trustees.—[31st August 1848.]

CAP. LXIX.

An Act to repeal so much of an Act of the Parliament of Ireland of the Twenty-third and Twenty-fourth Years of King George the Third, “for the more effectually punishing such Persons as shall by Violence obstruct the Freedom of Corn Markets and the Corn Trade, and who shall be guilty of other Offences therein mentioned, and for making Satisfaction to the Parties injured,” as relates to the making of Satisfaction to the Parties injured; and to substitute other Provisions in lieu thereof; and to repeal the Provisions of the Acts which give Remedies against any Hundreds or Baronies in Ireland in respect of Robbery.—[31st August 1848.]

CAP. LXX.

An Act for dispensing with the Evidence of the Proclamations on Fines levied in the Court of Common Pleas at Westminster.—[31st August 1848.]

CAP. LXXI.

An Act to continue to the Twentieth Day of July One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament, Her Majesty's

Majesty's Commission for building new Churches.
—[31st August 1848.] (England & Wales.)

CAP. LXXII.

An Act to amend the Acts relating to the Constabulary Force in Ireland, and to amend the Provisions for the Payment of Special Constables.—[31st August 1848.]

CAP. LXXIII.

An Act to continue until the Thirty-first Day of July One thousand eight hundred and forty-nine, and to the End of the then Session of Parliament, certain Acts for regulating Turnpike Roads in Ireland.—[31st August 1848.]

CAP. LXXIV.

An Act to authorize the Lords of Council and Session to regulate the Rates or Dues of Registration to be charged by the Keepers of the Registers of Sasines, Reversions, &c. in Scotland.—[31st August 1848.]

WHEREAS an Act was passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Transmission and Extinction of Heritable Securities for Debt in Scotland*; and another Act was passed in the same Session of Parliament, intituled *An Act to simplify the Form and diminish the Expense of obtaining Infefment in Heritable Property in Scotland*; and another Act was passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law and Practice in Scotland as to the Service of Heirs*; and another Act was passed in the same Session of Parliament, intituled *An Act to facilitate the Transference of Lands and other Heritages in Scotland not held in Burgage Tenure*; and another Act was passed in the same Session of Parliament, intituled *An Act to facilitate the Constitution and Transmission of Heritable Securities for Debt in Scotland, and to render the same more effectual for the Recovery of Debts*; and another Act was passed in the same Session of Parliament, intituled *An Act to amend the Practice in Scotland with regard to Crown Charters*

8 & 9 Vict. c. 31.
8 & 9 Vict. c. 35.
10 & 11 Vict. c. 47.
10 & 11 Vict. c. 48.
10 & 11 Vict. c. 50.
10 & 11 Vict. c. 51.

Charters and Precepts from Chancery: And whereas it is expedient, with reference to the Changes produced by the said recited Acts, and by other Acts affecting the said Registers, to regulate of new the Rates or Dues now and heretofore chargeable for the Registration of Instruments of Sasine, Reversion, and other Writs at the said Registers: And whereas the Court of Session have, in virtue of various Acts of the *Scottish* and of the *British* Parliaments, been in use to regulate by Acts of Sederunt the keeping of the said Registers, and the Minute Books of the same, and also the Rates or Dues chargeable thereat by the Keepers thereof, but Doubts have arisen as to the Authority of the said Court to regulate such Rates or Dues, as the same have been affected by the Operation of the said recited Acts; and it is expedient that such Doubts should be removed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the said Lords of Council and Session from Time to Time to regulate and prescribe by Act of Sederunt the Amount of the Rates or Dues to be made and exacted by the several Keepers of the Registers of Sasines, Reversions, and other Writs, in *Scotland*, for the Registration therein of Instruments of Sasine, Reversions, and other Writs, having regard to the Alteration occasioned by the Operation of the said recited Acts in the Produce of the Rates or Dues chargeable at the said Registers: Provided always, that a Copy of every such Act of Sederunt shall be laid before both Houses of Parliament within Fourteen Days from the Date thereof, if Parliament shall be then sitting, and if not, then within Fourteen Days after the Commencement of the next ensuing Session.

Lords of Session may regulate Registers of Sasines, &c. and the Rates or Dues to be taken thereat by Acts of Sederunt, which shall be laid before Parliament.

II. And be it enacted, That nothing herein contained shall impair or affect any Reservation of the Rights or Privileges of the Town Clerks of Royal Burghs provided by the said recited Acts or any of them.

Act not to affect Rights of Town Clerks of Royal Burghs.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. LXXV.

An Act to defray until the First Day of August One thousand eight hundred and forty-nine the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland;

Ireland ; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia ; and to authorize the Employment of the Non-commissioned Officers.—[31st August 1848.]

CAP. LXXVI.

An Act to enable Archbishops and Bishops and other Persons in Ireland to compromise Suits touching their Rights of Patronage as to Ecclesiastical Benefices, in certain Cases.—[31st August 1848.]

CAP. LXXVII.

An Act to authorize the Application of Part of the unclaimed Money in the Court for the Relief of Insolvent Debtors in enlarging the Court House of the said Court.—[31st August 1848.] (England.)

CAP. LXXVIII.

An Act for the further Amendment of the Administration of the Criminal Law.—[31st August 1848.] England & Wales.)

CAP. LXXIX.

An Act to facilitate and simplify Procedure in the Court of Justiciary in Scotland.—[31st August 1848.]

WHEREAS it is expedient that the Procedure in the Court of Justiciary in Scotland should be simplified and amended: Be it enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful to use printed Copies, or Copies partly printed and partly written, of all Indictments and Criminal Letters before the High Court of Justiciary and Circuit Courts of Justiciary in Scotland, as the principal or Record Copies of such Writs, instead of the written Copies thereof heretofore used for that Purpose: Provided always, that such printed or partly printed and partly written Copies shall be authenticated, in the Case of Indictments, by the Subscription of Her Majesty's Advocate or of One of his Deputes, and in the Case of Criminal

Printed instead of written Copies of Indictments, &c. may be used as Record Copies. Printed Copies to be authenticated.

nal Letters, by the Subscription of One of the Clerks of Court, according to the present Practice.

II. And whereas Letters of Diligence for citing Parties, Witnesses, and Assizers are issued as a Matter of Course at the Instance of Her Majesty's Advocate, and according to the present Practice such Letters, both in the High Court and Circuit Courts of Justiciary, proceed on Bills the Deliverances on which require to be subscribed by One of the Judges of the said Court, which Proceeding is unnecessary and inconvenient: Be it enacted, That such Bills shall hereafter be dispensed with, and such Letters of Diligence, in Cases before both the High Court and Circuit Courts of Justiciary, shall be issued by the Clerk of Court to Her Majesty's Advocate, on Exhibition of the Indictment on which such Letters of Diligence are required to be raised, or a Copy thereof, signed by the Crown Agent for the Time being; and it shall not be necessary that such Letters pass the Signet of the said Court: Provided always, that a Roll or Minute Book of all such Letters of Diligence, whether issued for the High Court or Circuit Courts of Justiciary, shall be kept by the Clerk of Justiciary.

Letters of Diligence to be issued by the Clerk on Exhibition of Indictment, and Roll or Minute Book of the same to be kept by the Clerk.

III. And be it enacted, That all Deliverances on Bills for Criminal Letters, Letters of Supplement, Lawburrows, Horning, and Caption, and on all ordinary Bills passing of course or without Opposition, shall be signed by One of the Clerks of Court instead of by One of the Judges as at present, and the Signature of such Clerk shall be as effectual for passing such Bills as if they had been subscribed according to the present Practice: Provided always, that Bills or Petitions for Letters of Intimation or Liberation under an Act of the *Scottish* Parliament passed in the Year One Thousand seven hundred and one, intituled *An Act for preventing wrongous Imprisonment, and against undue Delay in Trials*, shall remain as at present, and shall be presented to and disposed of by One of the Judges, or by the Court, according to the present Practice.

Deliverances on Bills to be signed by Clerk of Justiciary instead of One of the Judges.

Bills or Petitions &c. under Act of *Scottish* Parliament, 1701, c. 6. to remain as at present.

IV. And be it enacted, That when in the High Court of Justiciary more than One Case shall be set down for Trial at One and the same Diet, it shall not be necessary to lodge in Court more than one List of Assize, and such List shall be authenticated by the Signature of a Judge of the said Court, and shall bear and be held to be a List of Assize for the Trial of all Parties cited to that particular Diet; and the Persons included in such List shall be summoned to pass generally upon the Assize of all the accused Parties cited to such Diet, and One general Execution of Citation only shall be returned against them; and a Copy of such List, certified by one of the

One List of Assize sufficient for all Trials at the same Diet in the High Court of Justiciary.

Clerks

Clerks of Court, shall have the like Effect, for all Purposes for which such List may be required, as the Principal List of Assize authenticated as aforesaid.

One List
sufficient
for each
Circuit
Court.

V. And be it enacted, That in Proceedings before the Circuit Courts of Justiciary One List of Assize for each District or Circuit Court, authenticated by the Signature of One of the Judges of the said Court, shall in like Manner be sufficient; and a Copy thereof, certified by One of the Clerks of Court, shall have the like Effect for all Purposes for which such List may be required as the principal List of Assize authenticated as aforesaid.

Service of
Writs and
Warrants.

VI. And whereas it is in many Cases difficult and expensive to have Indictments, Criminal Letters, and other Writs served or executed by Macers of Court or Messengers-at-Arms, according to the present Practice: Be it enacted, That it shall be lawful to serve all Indictments, Criminal Letters, and other Writs, and to execute all Writs and Warrants issuing forth of the Court of Justiciary in *Scotland*, either by a Macer of Court or a Messenger-at-Arms, or by any Sheriff Officer or Steward's Officer of the County or Stewartry within which such Service or Execution shall be made.

Record Cop-
ies of Pro-
ceedings,
instead of
being tran-
scribed in
Books of
Adjournal,
may be in-
serted
therein, &c.

VII. And whereas it is inconvenient and unnecessary to transcribe the whole Proceedings in the Court of Justiciary in the Records of Court called the Books of Adjournal: Be it enacted, That the Record Copies of Criminal Libels brought before the said Court, and the Record Copies of all printed Proceedings in the said Court, shall, instead of being transcribed into the Books of Adjournal, as at present, be inserted in the said Books either at their proper Place in the Body of such Books, or at the End of the Volume wherein the relative Procedure is recorded, in which Case they shall be distinctly referred to as so appended: and in so far as the said Books of Adjournal may not be completed at the passing of this Act, the same may be completed by the Insertion of the Record Copies of the said Libels and Proceedings as herein directed; and the Books of Adjournal so made up and completed shall be and be taken to be and be used as the Books of Adjournal of the said Court.

Books not
completed
at passing
of this Act
may be
completed
by inser-
tion of
Record
Copies.

Judges
holding
Circuit
Courts at
Glasgow
may sit and
act sepa-
rately, and
Proceed-
ings to be
held good.

VIII. And whereas, owing to the Increase of Population within the Counties of *Lanark* and *Renfrew*, and to the consequent Increase in the Number of Trials brought before the Circuit Courts of Justiciary held at *Glasgow*, it is expedient to make Provision for the greater Despatch of Business in these Courts: Be it enacted, That it shall be lawful for the Two Judges holding the said Courts to sit in separate Court Rooms, and to perform separately the Duties and despatch the Business

Business of the said Courts, or such Part thereof as it may be desirable so to perform; and each of the said Judges so sitting apart shall possess all the Powers which would belong to the said Judges sitting and judging together, and all the Proceedings of the said Judges, whether sitting separately or together, shall be held as Proceedings in the Circuit Court of Justiciary, for the District of *Glasgow*.

IX. And be it enacted, That in Criminal Trials before the Courts of Justiciary in *Scotland* the Panel shall be called upon to state any Objection he may have to the Relevancy of the Libel, and such Relevancy shall be disposed of by the Court before he is called upon to plead; and in case the Libel shall be found relevant the same shall be read, unless such reading shall be dispensed with by the Panel; and the Panel shall then be called upon to plead to the Libel, and in case he shall plead Guilty the Court shall proceed to pass Sentence, and in case he shall plead Not Guilty the Court shall remit him, with the Libel as found relevant, to the Knowledge of an Assize, and the Case shall be otherwise proceeded with in ordinary Form.

In Criminal Trials before Courts of Justiciary, the Panel to state Objections to Relevancy of Libel, which shall be disposed of by the Court.

X. And be it enacted and declared, That it shall be in the Power of the Court of Justiciary in *Scotland*, by an Act or Acts of Adjournal or otherwise, to alter the Forms of Interlocutors and Sentences at present in use in that Court, and to substitute others in their Place, in shorter or more convenient Form, and such new Forms of Interlocutors and Sentences shall have the same Force, Operation, and Effect in all respects as the Forms of Interlocutors and Sentences at present in use in place of which they may be substituted.

Power for Court to alter Forms of Interlocutors and Sentences at present in use, and substitute others.

XI. And be it enacted, That it shall be lawful for the said Court of Justiciary, and the said Court is hereby required from Time to Time, to make all such Rules and Regulations, by Act or Acts of Adjournal, as may be necessary for carrying out the Purposes and accomplishing the Objects of this Act: Provided always, that Copies of all such Acts of Adjournal shall, within Fourteen Days after the making thereof, be laid before both Houses of Parliament, if Parliament shall be then sitting, and if not, within Fourteen Days after the Commencement of the then next Session.

Power to Court to make Acts of Adjournal.

XII. And be it enacted, That all Laws, Statutes, Regulations, and Usages inconsistent or at variance with the Provisions of this Act shall be and the same are hereby repealed: Provided always, that the same shall continue in force in all other respects whatsoever.

Laws, &c. inconsistent with this Act repealed.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. LXXX.

An Act to empower Lessees of Tithe Rent-charge in Ireland to deduct a Proportion of Poor Rate Poundage from Rent; and also to empower the Ecclesiastical Commissioners in Ireland to allow Sums paid for Poor Rate or County Cess, or Poundage deducted from Ecclesiastical Persons on account of Poor Rate, among the Deductions from the Valuation of Ecclesiastical Property directed to be made under an Act of the Third and Fourth Years of His late Majesty, for the Purpose of a certain Tax thereby imposed upon such Property in Ireland.—[31st August 1848.]

CAP. LXXXI.

An Act for the further Regulation of Steam Navigation, and for limiting in certain Cases the Number of Passengers to be conveyed in Steam Vessels.

[31st August 1848.]

9 & 10
Vict. c.
100.

WHEREAS by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Steam Navigation, and for requiring Sea-going Vessels to carry Boats*, it is, amongst other things, enacted, that on or before the Thirtieth Day of April and the Thirty-first Day of October in every Year the Owners of every Steam Vessel shall transmit to the Lords of the Committee of Privy Council for Trade Two Declarations in the said Act prescribed, and that the Lords of the said Committee shall register such Declarations, and shall transmit to the Owners of such Steam Vessels respectively Certificates of the Registry thereof, and that if any Steam Vessel proceed to Sea with Passengers, the Owner whereof has not duly transmitted to the Lords of the said Committee such Declarations and received from the Lords of the said Committee such Certificates of the Registry thereof as aforesaid, the Owner of such Steam Vessel shall forfeit a Sum not exceeding One hundred Pounds: And whereas it is expedient to make further Provision for compelling the Owners of Steam Vessels to transmit such Declarations to the Lords of the said Committee, whether such Steam Vessels be intended to proceed to Sea or not: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

in

in this present Parliament assembled, and by the Authority of the same, That in case the Owner or Owners of any Steam Vessel, not being a Vessel expressly excepted from the Operation of the said recited Act, neglect to transmit to the Lords of the said Committee, at the Times in the said recited Act specified, the Declarations in Writing by the said recited Act prescribed, the Owner or Owners of every such Steam Vessel shall forfeit and pay the Sum of Ten Shillings for every Day that the sending of such Declarations is delayed, unless such Delay be accounted for to the Satisfaction of the Lords of the said Committee: Provided always, that the Owners of all Steam Vessels (not being Vessels expressly excepted as aforesaid) in respect of which any Declarations required as aforesaid have not at the Time of the passing of this Act been transmitted to the said Committee shall transmit the same on or before the Twentieth Day of *September* next.

Penalty for Delay in transmitting Certificates required by recited Act.

II. And whereas much Inconvenience and Danger to the Public has been found to result from the over-crowding of Steam Vessels, and it is expedient to prevent such over-crowding: Be it therefore enacted, That it shall be lawful for the Lords of the said Committee, whenever they think fit so to do, to insert into any Certificate granted by them in conformity with the Provisions of the said recited Act a Notice of the Number of Passengers which the Vessel to which such Certificate has been granted is constructed to carry, and whenever such Notice shall have been so inserted in the Certificate it shall not be lawful for any such Vessel at any Time to have or receive on board any greater Number of Passengers than the Number specified in the Certificate which it may have last received from the said Committee; and in case any such Vessel shall at any Time have or receive on board any greater Number, the Owner or Owners, or the Master or other Person having Charge thereof, shall forfeit a Sum not exceeding Five Shillings for every Passenger over and above the Number so specified in the Certificate as aforesaid.

Board of Trade may insert in Certificate a Notice of the Number of Passengers Steam Vessels are constructed to carry.

Penalty for carrying a greater Number than specified in Certificate.

III. And be it enacted, That the Owner or Owners of every Steam Vessel shall cause a true Copy of the Certificate which they have last received from the Lords of the said Committee to be put up in some conspicuous Part of the Vessel, where the same will be visible to the Passengers on board the same, and if they neglect to do so they shall for every Offence be liable to a Forfeiture or Penalty not exceeding Ten Pounds.

A true Copy of Certificate to be placed in a conspicuous Part of the Vessel.

Penalty for Neglect.

IV. And be it enacted, That if any Person, after having been refused admission into any Steam Vessel by the Owner or Owners, or any Person in the Employ of the Owner or Owners thereof, on account of such Steam Vessel being full, and

Penalty on Persons, having been refused admission

mission, forcing their way on board when Vessels are full, &c.

and after having had the full Amount of his Fare (if he has paid the same) returned or tendered to him, shall nevertheless persist in attempting to enter the same, or if any Person having got on board any Steam Vessel be requested on the like account by the Owner or Owners thereof, or by any Person in their Employ, to leave such Steam Vessel before the same has quitted the Place at which such Person got on board, and shall refuse to do so, after having had the full Amount of his Fare (if he has paid the same) returned or tendered to him, then and in either of such Cases such Person shall for such Offence forfeit and pay any Sum not exceeding Five Shillings.

Penalty on Persons refusing or neglecting to pay their Fares, or quit Vessels, &c.

V. And be it enacted, That if any Person travel or attempt to travel in any Steam Vessel which has been duly surveyed in conformity with the Provisions of the said recited Act without having previously paid his or her Fare, and with Intent to avoid Payment thereof, or if any Person having paid his or her Fare for a certain Distance, knowingly and wilfully proceed in any such Vessel beyond such Distance without previously paying the additional Fare for the additional Distance, and with Intent to avoid Payment thereof, or if any Person knowingly and wilfully refuse or neglect, on arriving at the Point to which he has paid his Fare, to quit such Vessel, every such Person for every such Offence shall forfeit to the Owner or Owners of such Steam Vessel a Sum not exceeding Five Shillings.

Penalties how to be recovered and applied.

VI. And be it enacted, That the Penalties and Forfeitures by this Act imposed shall be sued for, recovered, and applied in like manner as the Penalties and Forfeitures imposed by the said recited Act are therein directed to be sued for, recovered, and applied, except as is hereby otherwise directed.

Nothing to affect Privileges of Corporation of London.

VII. And be it enacted, That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, nor prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being as Conservator of the River *Thames*, or otherwise, or the Lord Mayor and Court of Aldermen, or the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, under or by virtue of any Act of Parliament, did or might lawfully claim, use, or exercise.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. LXXXII.

CAP. LXXXII.

An Act to amend the Law for the Formation of Districts for the Education of Infant Poor.—[31st August 1848.] (England.)

CAP. LXXXIII.

An Act to confirm the Awards of Assessionable Manors Commissioners, and for other Purposes relating to the Duchies of Cornwall and Lancaster.—[31st August 1848.]

CAP. LXXXIV.

An Act to amend the Acts for rendering effective the Service of the Chelsea and Greenwich Out-Pensioners, and to extend them to the Pensioners of the East India Company.—[31st August 1848.]

WHEREAS under an Act passed in the Session held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for rendering more effective the Services of such Out-Pensioners of Chelsea Hospital as shall be called out to assist in preserving the public Peace*, and an Act passed in the Session held in the Ninth and Tenth Years of the same Reign, for amending the said first-mentioned Act, Her Majesty was empowered by Her Warrant under the Royal Sign Manual, to order that such and so many of the Out-Pensioners of *Chelsea* and such of the Out-Pensioners of *Greenwich* Hospitals as might have served in the Royal Marines as Her Majesty might think fit should be enrolled as a local Force for the Preservation of the Peace, under the Conditions specified in the said Acts, but that the whole Number so to be enrolled should not at any One Time exceed Twenty thousand Men: And whereas it is expedient that the Provisions of the said Acts should be extended to such Pensioners from the Land Forces of the *East India Company* as now are or may hereafter become resident in the United Kingdom, and who may volunteer to serve Her Majesty as enrolled Pensioners upon the Terms and subject to the Provisions of the said Acts, and that Her Majesty should for that Purpose be empowered to increase the Number of Pensioners so to be enrolled: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

6 & 7 Vict.
c. 95.
9 & 10 Vict.
c. 9.

Recited
Acts to ap-
ply to Pen-
sioners
from such
Forces of
East India
Company
as may vo-
lunteer.

Spiritual and Temporal, and Commons, in this present Parli-
ament assembled, and by the Authority of the same, That the
said Acts shall apply to such of the said Pensioners from the
Land Forces of the *East India* Company as may volunteer as
aforesaid, in the like Manner as if they were Out-Pensioners
of *Chelsea* or *Greenwich* Hospitals; and that the whole
Number of Pensioners of these Hospitals, and from the Land
Forces of the said Company, so to be enrolled in the United
Kingdom at any One Time, may be any Number not exceed-
ing Thirty thousand Men.

CAP. LXXXV.

*An Act to continue to the First Day of October One
Thousand eight hundred and forty-nine, and to the End
of the then next Session of Parliament, the Exemption
of Inhabitants from Liability to be rated as such in
respect of Stock in Trade or other Property to the
Relief of the Poor.*—[31st August 1848.] (England.)

CAP. LXXXVI.

*An Act to empower Commissioners of the Court of Bank-
ruptcy to order the Release of Bankrupts from Prison
in certain Cases.*—[31st August 1848.] (England.)

CAP. LXXXVII.

*An Act to extend the Provisions of an Act passed in the
First Year of His late Majesty King William the
Fourth, intituled An Act for consolidating and amend-
ing the Laws for facilitating the Payment of Debts out
of Real Estate.*—[31st August 1848.] (England.)

CAP. LXXXVIII.

*An Act for further regulating the Money Order Depart-
ment of the Post Office.*—[31st August 1848.]

3 & 4 Vict.
c. 96.

WHEREAS by an Act passed in the Fourth Year of the
Reign of Her present Majesty, intituled *An Act for the
Regulation of the Duties of Postage*, it is enacted, that the Mode
of transmitting small Sums of Money through the Post Office,
by means of Money Orders, under Regulations which had been
made by the Postmaster General, with the Concurrence of the
Commissioners of Her Majesty's Treasury, might have Con-
tinuance so long as the Commissioners of Her Majesty's Treas-
ury

surey should see fit : And whereas it is expedient to make further Provisions as to Money Orders granted or issued by the Post Office : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Money Orders heretofore granted under or by virtue of the said Regulations, or of the said recited Act, shall remain, continue, or be in force for a longer Period than Twelve Calendar Months from and after the passing of this Act ; and that from and after the Expiration of that Period all Liability to pay such Money Orders by or on the Part of the Postmaster General, or of any Officer of the Post Office or of the Post Office Revenue, shall absolutely cease and determine : Provided always, that it shall be lawful for the Postmaster General and he is hereby authorized, with the Consent of the Commissioners of Her Majesty's Treasury, to pay any such Money Orders in special Cases or under special Circumstances after such Period shall have expired : Provided also, that it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or Times hereafter, by Warrant under their Hands, to alter the Period hereby fixed and limited for the Payment of Money Orders heretofore granted, and to fix any other Period for the Payment of the same, such Alteration nevertheless not to commence or be in force until after the Expiration of Three Calendar Months after due Notice of the proposed Alteration shall have been given in the *London Gazette*.

II. And be it enacted, That it shall be lawful for the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, at any Time hereafter, to make any Regulations or Restrictions relating to Money Orders, either heretofore granted or issued or to be hereafter granted or issued, and to the payment thereof, and to the Persons by or to whom the same shall be paid, and to the Times at which and the Mode in which the same shall be paid, as the said Postmaster General, with such Consent as aforesaid, shall see fit, and from Time to Time with such Consent as aforesaid, to alter or repeal any such Regulations or Restrictions, and make and establish any new or other Regulations or Restrictions in lieu thereof ; and that all such Regulations and Restrictions shall be binding and conclusive, as well upon the Persons to whom such Money Orders have been or shall be granted or issued, and the Payees thereof, and all Persons interested or claiming under them, and all other Persons whomsoever, as upon all Officers of the Post Office ; and all such Regulations and Restrictions shall have the same Force and Effect in all respects as if the same had been and

No Money Orders granted under recited Act to continue in force longer than Twelve Months ; and Liability of Postmaster General to pay such Orders to cease, except in certain Cases, with Consent of Treasury.

Treasury may, by Warrant, alter Period fixed for Payment of Money Orders.

Power to Postmaster General to make Regulations relating to Money Orders.

and were contained in and enacted by this Act; and that no Action, Suit, or other Proceeding at Law or in Equity shall be brought, instituted, or commenced in any Court or before any Judge or Justice, or otherwise howsoever, against the Postmaster General or against any Officer of the Post Office, or against any other Person whomsoever, for or by reason or in consequence of the making of any such Regulations or Restrictions, or of any Compliance therewith, or otherwise in relation to any such Regulations or Restrictions, or for or by reason or in consequence of the Payment of any such Money Orders being refused or delayed by or on account of any accidental Neglect, Omission, or Mistake, by or on the Part of any Officer of the Post Office, or for any other Cause whatsoever, without Fraud or wilful Misbehaviour on the Part of any such Officer of the Post Office, any Law, Statute, or Usage to the contrary in anywise notwithstanding.

Power to
Postmas-
ter Gene-
ral to re-
fund
Amount of
Money
Orders.

III. And be it enacted, That it shall be lawful for the Postmaster General at any Time hereafter to repay or refund the Amount of any Money Orders either heretofore granted or issued or to be hereafter granted or issued to the Person or Persons to whom the same have been or shall or may be so granted or issued, or his, her, or their Executors or Administrators, whether such Money Orders shall remain or be in the Possession of such Person or Persons or not; and that in all Cases from and immediately after any such Repayment or Refunding as aforesaid all Liability by or on the Part of the Postmaster General, or of any Officer of the Post Office or of the Post Office Revenue, for or in respect of such Money Orders or of the granting or issuing of the same, or of the Repayment or Refunding the Amount thereof, shall, as against the Payees of such Money Orders and the Holders thereof, and all other Persons whomsoever, absolutely cease and determine.

After Re-
payment
Liabilities
of Post-
master
General to
cease.

Penalty on
Officers of
Post Office
issuing
Money
Orders
with
fraudulent
Intent,

In Indict-
ments it
shall be
sufficient
to name
"Her
Majesty's
Post-
master
General,"

IV. And be it enacted, That every Officer of the Post Office who shall grant or issue any Money Order with a fraudulent Intent shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall, at the Discretion of the Court, either be transported beyond the Seas for the Term of Seven Years or be imprisoned for any Term not exceeding Three Years.

V. And for the more effectual Prosecution of Offenders be it enacted, That in any Indictment or Criminal Letters for any Felony or Misdemeanour committed or attempted to be committed in, upon, or with respect to the Post Office or the Post Office Revenue, or in, upon, or with respect to any Property, Monies, Money Orders, Goods, Chattels, or Effects under the Management or Control of the Postmaster General, or where
any

any Act, Matter, or Thing shall have been done or committed by any Person with or for any malicious, injurious, or fraudulent Design, Intent, or Purpose, in anywise relating to or concerning the Post Office or the Post Office Revenue, or any such Property, Monies, Money Orders, Goods, Chattels, or Effects as aforesaid, or the Postmaster General, it shall be sufficient to lay any such Property in, and to state or allege the same to belong to, and to state or allege any such Act, Matter, or Thing to have been done or committed with Intent to injure or defraud "Her Majesty's Postmaster General;" and in all Indictments and Criminal Letters relating to or in anywise concerning the Department of the Post Office, it shall be sufficient to name and describe the Postmaster General as "Her Majesty's Postmaster General," without any further or other Name, Addition, or Description whatsoever.

VI. And be it enacted, That whenever the Warrant of the Commissioners of Her Majesty's Treasury is required by this Act, such Warrant may be under the Hands of the Commissioners of Her Majesty's Treasury, or any Three of them; and that whenever the Order, Consent, Authority, or Direction of the Commissioners of Her Majesty's Treasury is prescribed by this Act, such Order, Consent, Authority, or Direction (not being by Warrant) may be signified either under the hands of the Commissioners of Her Majesty's Treasury, or any three of them, or under the Hand of one of their Secretaries or Assistant Secretaries.

As to
Warrants
of the
Treasury.

VII. And be it enacted, That any printed Copy of the *London Gazette*, purporting to be printed and published by the Person or Persons having Authority to print and publish the same, shall be admitted as Evidence by all Courts, Judges, Justices, and others in any Part of Her Majesty's Dominions of any Treasury Warrant and of any Regulations or Restrictions which shall be issued or made under or by virtue of this Act, and contained in any such Gazette, and of the due issuing thereof, and of the Contents of any such Warrant, Regulations, or Restrictions, without any further or other Proof.

Printed
Copies of
the Lon-
don Ga-
zette to be
Evidence.

VIII. And be it enacted, That this Act shall be deemed and taken to be a Post Office Act, and that the several Terms and Expressions used in this Act shall be construed according to the respective Interpretations contained or referred to in the said Act passed in the Fourth Year of the Reign of Her present Majesty, so far as those Interpretations are not repugnant to the Subject or inconsistent with the Context of such Terms and Expressions.

Act to be
deemed a
Post Office
Act.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be
amended,
&c.

CAP. LXXXIX.

CAP. LXXXIX.

An Act to continue for Two Years, and to the End of the then next Session of Parliament, and to amend an Act of the Second and Third Years of Her present Majesty, intituled An Act to extend and render more effectual for Five Years an Act passed in the Fourth Year of his late Majesty George the Fourth, to amend an Act passed in the Fiftieth Year of his Majesty George the Third, for preventing the administering and taking unlawful Oaths in Ireland.—[31st August 1848.]

CAP. XC.

An Act to regulate the Times of Payment of Rates and Taxes by Parliamentary Electors.—[31st August 1848.] (England.)

CAP. XCI.

An Act to make Provision for the Payment of Parish Debts, the Audit of Parochial and Union Accounts, and the Allowance of certain Charges therein.—[31st August 1848.] (England.)

CAP. XCII.

An Act for the Protection and Improvement of the Salmon, Trout, and other Inland Fisheries of Ireland.—[31st August 1848.]

CAP. XCIII.

An Act to confirm the Incorporation of certain Boroughs.—[31st August 1848.] (England.)

CAP. XCIV.

An Act to regulate certain Offices in the Petty Bag in the High Court of Chancery, the Practice of the Common-Law Side of that Court, and the Enrolment Office of the said Court.—[31st August 1848.]

CAP. XCV.

CAP. XCV.

An Act to carry into effect the Arrangements of the Ecclesiastical Commissioners for England for making better Provision for the Cure of Souls in the Parish of Wolverhampton in the County of Stafford and Diocese of Lichfield.—[31st August 1848.]

CAP. XCVI.

An Act to continue certain Turnpike Acts for limited Periods.—[31st August 1848.] (England.)

CAP. XCVII.

An Act to repeal the Duties of Customs upon the Importation of Sugar, and to impose new Duties in lieu thereof.—[4th September 1848.]

WHEREAS by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for granting certain Duties on Sugar and Molasses*, certain Duties of Customs were imposed upon the Importation of Sugar and Molasses: And whereas it is expedient that the said Duties should be repealed, and that other Duties should be raised and levied in lieu thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Duties on Sugar and Molasses imposed by the said recited Act shall be and they are hereby repealed; and that from and after the Tenth Day of *July* One thousand eight hundred and forty-eight in lieu thereof there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon Sugar or Molasses already or hereafter to be imported into the United Kingdom, the several Duties of Customs as the same are respectively inserted, described, and set forth in Figures, and according to the respective Dates and Periods following; (that is to say,

9 & 10 Vict.
c. 63.

Duties on
Sugar and
Molasses
imposed
by recited
Act re-
pealed,
and in lieu
thereof
the Duties
herein
mentioned
to be
levied.

On Sugar or Molasses the Growth and Produce of any *British* Possession into which the Importation of Foreign Sugar is prohibited, being imported from any such Possession, the Duties following; (that is to say),

	From and after 10 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851.
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt.	£ s. d. 0 17 4	£ s. d. 0 16 0	£ s. d. 0 14 8	£ s. d. 0 13 4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White clayed, not being Refined, or equal to Refined, for every Cwt. . .	0 15 2	0 14 0	0 12 10	0 11 8
Muscovado, or any other Sugar, not being equal in Quality to white Clayed, for every Cwt.	0 13 0	0 12 0	0 11 0	0 10 0
Molasses, for every Cwt.	0 4 10	0 4 6	0 4 2	0 3 9

And so in proportion for any greater or less Quantity than a Hundred Weight.

And from and after the respective Days next herein-after mentioned,—
On Sugar or Molasses the Growth and Produce of any other *British* Possession, being imported from any such Possession, the Duties following; (that is to say),

	From and after 10 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851 to 5 July 1852 inclusive.	From and after 5 July 1852 to 5 July 1853 inclusive.	From and after 5 July 1853 to 5 July 1854 inclusive.	From and after 5 July 1854.
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt. . . .	£ s. d. 1 2 0	£ s. d. 1 0 4	£ s. d. 0 18 8	£ s. d. 0 17 0	£ s. d. 0 16 4	£ s. d. 0 15 4	£ s. d. 0 13 4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, or equal to Refined, for every Cwt.	0 18 4	0 16 11	0 15 5	0 14 0	0 13 5	0 12 10	0 11 8
Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Brown Clayed, and not equal to White Clayed, for every Cwt. . . .	0 17 0	0 15 8	0 14 4	0 13 0	0 12 5	0 11 10	0 10 0
Muscovado, or any other Sugar, not being equal in Quality to Brown Clayed Sugar, for every Cwt. . .	0 15 9	0 14 6	0 13 3	0 12 0	0 11 6	0 11 0	0 10 0
Molasses, for every Cwt.	0 5 10	0 5 5	0 4 11	0 4 6	0 4 4	0 4 2	0 3 9

And so on in proportion for any greater or less Quantity than a Hundred Weight. On

Consent of any other Party, no Bond of annual Rent to be granted under the Authority of this Act shall be made the Ground of Adjudication or Eviction of such entailed Estate or any part thereof; and the annual Rents contained in such Bond shall be recoverable as accords of Law from and out of the Rents and Profits of such entailed Estate, and from the Heir in possession thereof for the Time being: Provided always that the Heir in possession of any such entailed Estate, and the Heirs substitute to him, shall be bound, each during his own Possession, yearly and each Year to pay and keep down such annual Rents accruing during their respective Possessions of such entailed Estate; and no remedy shall be competent to the Creditor in such Bond of annual Rent against the Rents and Profits of the said Estate for any Arrears beyond Two Years annual Rent, and Interest thereon, and corresponding Penalties; without Prejudice to his Remedy for such Arrears against the Heirs in possession respectively bound to pay and keep down the same, and against the Representatives of such Heirs, and the separate Estates of such Heirs, including the Rents of such entailed Estate during their respective Periods of Possession.

Annual
Rent, how
to be re-
covered.
Annual
Rent to be
kept down.

XVIII. And be it enacted, That in all Cases in which it may be competent for an Heir of Entail in possession of an entailed Estate in *Scotland*, or in which such Heir of Entail may be called upon to grant a Bond of annual Rent in Terms of this Act, it shall be lawful for such Heir of Entail, and such Heir of Entail may be called upon, to charge under the Authority of the Court of Session, as after mentioned, the Fee and Rents of such Estate other than the Mansion House, Offices, and Policies thereof, or the Fee and Rents of any Portion of such Estate other than as aforesaid, with Two Third Parts of the Sum on which the Amount of such Bond of annual Rent if granted would be calculated in Terms of this Act, by granting, in favour of any Creditor who may advance the Amount of such Two Third Parts, Bond and Disposition in Security over such Estate or any Portion thereof other than as aforesaid for such Amount, with the due and legal Interest thereof from the Date of such Advance till repaid, and with corresponding Penalties; and such Bond and Disposition in Security may be in the like Form, and shall have the like Effect and Operation, and be subject to the like Conditions and Provisions as to keeping down Interest, and as to the Extent of Remedy against the Fee and Rents of the entailed Estate, and otherwise, as are herein-after made and provided in regard to Bonds and Dispositions in Security by this Act authorized to be granted in respect to Provisions to younger Children.

Heir of
Entail may
charge Es-
tates by
granting
Bond and
Disposition
in Security.

XIX. And be it enacted, That the granting under the Authority

Bonds of
annual

Rent or of Dispositions in Security for Improvements to operate as Discharges.

rity of this Act of any Bond of annual Rent, or Bond and Disposition in Security, in respect of any Improvements executed or to be executed on an entailed Estate in *Scotland*, shall operate as a Discharge of all Claims for or on account of such Improvements, against such Estate, and the Rents and Profits thereof, and the Heirs of Entail succeeding thereto, save and except the Claims under such Bond of annual Rent or Bond and Disposition in Security themselves.

Private Roads to be deemed Improvements under 10 G. 3. c. 51, and under this Act.

XX. And be it enacted, That private Roads which shall from and after the First Day of *August* One thousand eight hundred and forty-eight be made through any entailed Estate, or by way of immediate Access thereto, may be deemed to be Improvements falling under the said recited Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Third and also under this Act, in the same Way and Manner in all respects as inclosing, planting, and draining.

Provisions to younger Children may be made Charges upon the entailed Estate.

XXI. And be it enacted, That in all Cases where an Heir of Entail in possession of an entailed Estate in *Scotland* shall be liable to pay or to provide by Assignment of the Rents and Proceeds of such Estate for any Sum or Sums of Money granted by any former Heir of Entail by way of Provisions to younger Children, in Terms of the said recited Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, or in virtue of the Powers to that Effect contained in any Deed of Entail under which the Heir of Entail in possession holds, and in all Cases where any Heir of Entail in possession as aforesaid shall in the Marriage Contract of his younger Child have validly granted Provision for such younger Child out of the Rents and Proceeds of such entailed Estate, in Terms of the said recited Act, or in Terms of such Deed of Entail, it shall be lawful for such Heir of Entail in possession to charge the Fee and Rents of such Estate other than the Mansion House, Offices, and Policies thereof, or to charge the Fee and Rents of any Portion of such Estate other than as aforesaid, with the Amount of such Provisions, by granting Bond and Disposition in Security over such Estate, or such Portion thereof other than as aforesaid, for such Amount, with the due and legal Interest thereof from the Date of such Bond and Disposition in Security, or any subsequent Date, till repaid, and with corresponding Penalties; and such Bond and Disposition in Security may be in ordinary Form, binding the Granter and his Heirs of Entail in their Order successively to repay the Principal Sum therein, with Interest and Penalties as aforesaid, and may contain all Clauses usual in Bonds and Dispositions in Security granted over Estates in *Scotland* held in Fee Simple.

XXII. And

XXII. And be it enacted, That such Heir of Entail in possession, and the Heirs substitute to him in their Order successively, shall be bound, each during his own Possession of such Estate, yearly and each Year, to pay and keep down the Interest on such Bonds and Dispositions in Security accruing during their Possession respectively of such entailed Estate; and the Remedy competent to the Creditor against the Fee and Rents of such Estate on such Bonds and Dispositions in Security shall be limited to the Principal Sum therein contained, with Two Years' Interest thereon, and corresponding Penalties; without Prejudice to the Remedy of the Creditor for any further Arrears of Interest against the Heir or Heirs in possession bound to pay and keep down the same, and against his or their Representatives, or his or their separate Estate or Estates, including the Rents of the said entailed Estate during his or their Possession of the same.

Heir in possession to keep down the Interest on Provisions to Children.

XXIII. And be it enacted, That no Heir of Entail in possession of an entailed Estate shall charge the same under this Act with any Provision to any younger Child or Children until he shall have applied for and obtained the Authority of the Court thereto in the Form and Manner herein-after provided; and such Application to the Court shall set forth in a Schedule to be annexed thereto the specific Portion of the Estate which it is proposed to include in such Bonds and Dispositions in Security.

Provisions to Children not to be charged without Authority of Court.

XXIV. And be it enacted, That, notwithstanding any prohibitory, irritant, and resoluteive Clauses, or any Limitation, by way of Maximum or Minimum of the Extent of Ground to be feued or to be granted in each separate Feu, contained in any Tailzie dated prior to the First Day of *August* One thousand eight hundred and forty-eight, it shall be lawful for an Heir of Entail in possession of an entailed Estate in *Scotland*, upon Notice to the Heir of Entail next entitled to succeed to such Estate immediately after such Heir of Entail in possession, with the approbation of the Court, to be obtained in the Form and Manner herein-after provided, to grant Feus or long Leases of any part of the said entailed Estate for the highest Feu Duty or Rent that can be got for the same, such Feus or long Leases so granted by him not exceeding in all one Eighth Part in value for the Time of such Estate; provided always, that it shall not be lawful for such Heir to take any Grassum or Fine or valuable Consideration other than the Tack Duty or Rent for granting any such Feu or Lease, nor to grant any such Feu or Lease of the Mansion House, Offices, or Policies of the Estate; and such Heir shall be entitled to make, at the Sight of the Court, all such Feu Charters or other Feu

Power to grant Feus or long Leases.

Rights,

Rights, or Tacks or Leases, as shall be necessary ; and in case any such Grassum, Fine, or Consideration shall be taken, and in case any Feu or Lease hereby prohibited shall be granted, such Feu or Lease shall be null and void ; but nothing herein contained shall prevent or be construed to prevent any Heir of Entail in possession from exercising any Power of granting Feus or Leases which may be contained in the Tailzie under which he possesses, more extensive than the Power of granting Feus or Leases hereby conferred.

Where entailed Estate may be charged with Debt, Estate may be sold for Payment thereof.

XXV. And be it enacted, That in all Cases in which it is made competent by this Act for any Heir of Entail in possession of an entailed Estate in *Scotland* to charge the same with Debt, by granting Bonds and Dispositions in Security therefor over such Estate, freed from all the Clauses prohibitory, irritant, and resoluteive contained in the Tailzie in virtue whereof such Estate is holden, and also in all Cases in which such Charge is made competent by any Act of Parliament, but no Power of Sale granted to the Heir of Entail, and in all Cases in which the Fee of an entailed Estate is validly charged with Debt, it shall be lawful for the Heir of Entail in possession for the Time being to sell and dispose of any Portion or Portions of such Estate, other than the Mansion House, Offices, and Policies thereof, which may be necessary, and which the Court of Session may select as most suitable and proper to be sold and disposed of for the Purpose of paying off the Debt in respect of which such Charge has been or might be competently made ; and it shall be lawful for such Heir of Entail in possession to grant, at the Sight and under Authority of the Court, valid and effectual Dispositions in Fee Simple in ordinary Form of such Portion or Portions of the said Estate, to the Purchaser thereof, and his Heirs or Assignees ; and the Price to be obtained for the Portion or Portions of the Estate to be so sold shall be previously approved of by the Court, and shall be paid into Court, under the Application for Sale, by the Purchaser, who shall by such Payment be fully discharged of such Price, and have no Interest, Concern, or Responsibility as to the Application thereof ; and such Price shall be applied, at the Sight of the Court, in or towards Payment or Extinction of the said Debt ; and the Surplus of such Price remaining after Payment of the said Debt, and of the Expenses attending the Application for Sale and Procedure thereon, shall, if more than Two hundred Pounds, be invested in other Lands, or Heritages, to be added to the Remainder of such entailed Estate, or be laid out and expended in or towards Payment of Entailer's Debts, or in or towards Payment of any Money charged on the Fee of such entailed Estate

Estate under this or any other Act, or in Redemption of the Land Tax affecting such entailed Estate, or in permanently improving the same, or in Repayment of Money already expended in such Improvements, as may be deemed most advisable; and if such Surplus shall be invested in other Lands or Heritages, to be added to the Remainder of such entailed Estate, the Tailzie of such other Lands or Heritages shall, whatever be its actual Date, be taken to be of equal Date with the Tailzie of the Remainder of such entailed Estate; and if such Surplus be less than Two hundred Pounds, the same shall be paid to the Heir of Entail in possession of such entailed Estate for the Time, for his own Use and Behoof, all at the Sight and under the Direction of the Court of Session.

XXVI. And be it enacted, That in all Cases where Money has been derived or may hereafter be derived from the Sale or Disposal of any Portion of an Entailed Estate in *Scotland*, or of any Right or Interest in or concerning the same, or in respect of any permanent Damage done to such Estate, under any private or other Act of Parliament, or where any Money has been invested in trust for the Purpose of purchasing Lands to be settled upon the Series of Heirs entitled to succeed to such entailed Estate, and where such Money would fall to be invested in Lands or Heritages to be entailed on the same Series of Heirs as are called to the Succession of such entailed Estate by the Tailzie thereof, and under the same Prohibitions, Conditions, Restrictions, and Limitations as are contained in such Tailzie, and where the Heir in possession of such entailed Estate could by virtue of this Act acquire to himself such Estate in Fee Simple by executing and recording an Instrument of Disentail as aforesaid, it shall be lawful for such Heir to make summary Application to the Court, in manner herein-after provided, for Warrant and Authority, and the Court upon such Application shall have Power to grant Warrant and Authority to and in favour of such Heir of Entail, for Payment to such Heir of such Sums of Money, as belonging to himself in Fee Simple; but if such Heir of Entail shall not be entitled to acquire such Estate in Fee Simple, then it shall be lawful for such Heir, with the Approbation of the Court, to lay out such Money or any Portion thereof in or towards Payment of Entailer's Debts, or in or towards Payment of any Money charged on the Fee of such entailed Estate under this or any other Act, or in Redemption of the Land Tax affecting such entailed Estate, or in permanently improving the same, or in Repayment of Money already expended in such Improvements; and in such Case such Heir shall apply summarily to the Court in manner herein-after provided, setting forth the Amount of the

Money arising from Sale of Estate, and Trust Money, may be applied in Payment of Entailer's Debts, &c.

the Sums proposed to be laid out, and the special Purpose to which it is intended to apply the same; and if the Court shall be satisfied of the Propriety of the proposed Application, they shall issue a Finding or Decree to that Effect, and authorizing such Application; and it shall thereafter be lawful for the Heir so applying to lay out such Money or any Part thereof, according as the Court shall have authorized the Application of the same, to all or any of the before-mentioned Purposes; and if there shall be any Surplus of such Money after the Purposes authorized by the Decree of the Court shall be fulfilled, the same shall, if more than Two hundred Pounds, be applied as the whole Money would have been applied but for the Provisions of this Act, and if less than Two hundred Pounds shall be paid to the Heir of Entail in possession of such entailed Estate for the Time, for his own Use and Behoof.

Money
vested in
trust for
the Pur-
chase of
Land to be
entailed
may be
dealt with
as if it
were the
entailed
Land.

XXVII. And be it enacted, That where any Money or other Property, Real or Personal, has been or shall be invested in trust for the Purpose of purchasing Land to be entailed, or where any Land is or shall be directed to be entailed, but the Direction has not been carried into effect, it shall be lawful for the Party who, if the Land had been entailed in Terms of the Trust, would be the Heir in possession of the entailed Land, and who in that Case might by virtue of this Act have acquired to himself such Land in Fee Simple by executing and recording an Instrument of Disentail as aforesaid, to make summary Application to the Court, as herein-after provided, for Warrant and Authority for the Payment to him of such Money, or for the Conveyance to him of such Land in Fee Simple; and the Court shall, upon such Application, and with such Consents, if any, as would have been required to the Acquisition of such Land in Fee Simple, have Power to grant such Warrant and Authority.

Date of
Act of
Parlia-
ment, &c.
directing
Entail
deemed to
be the
Date at
which
Land
should
have been
entailed.

XXVIII. And be it enacted, That for the Purposes of this Act, the Date at which the Act of Parliament, Deed, or Writing placing such Money or other Property under trust, or directing such Land to be entailed, first came into operation, shall be held to be the Date at which the Land should have been entailed in Terms of the Trust, and shall also be held to be the Date of any Entail to be made hereafter in execution of the Trust, whatever be the actual Date of such Entail.

Provisions
to Wives
and Chil-

XXIX. And be it enacted, That where any Money or other Property, Real or Personal, has prior to the First Day of *August* One thousand eight hundred and forty-eight been invested in trust for the Purpose of purchasing Land to be entailed, or where any Land has prior to the said Date been directed to be entailed, but the Direction has not been carried into

into effect, it shall be lawful for the Party who, if the Land had been entailed in Terms of the Trust, would be the Heir in possession of the entailed Land for the Time, to grant Provisions in favour of his or her Husband or Wife and younger Children out of such Money or other Property, or out of such Land, as the Case may be, of such and the like Amount and Extent as he or she would have been entitled to grant out of the Land if entailed, and if subject to the Provisions and Enactments of the said recited Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth.

XXX. And be it enacted, That no Creditor acting under Powers of Sale contained in any Bond or Disposition in Security or other Deed of Security affecting any entailed Estate in *Scotland*, by virtue of this or any other Act, shall be entitled to sell such entailed Estate, or any Portion or Portions thereof, in manifest Excess of what is necessary or proper in order to Payment and Extinction of the Debt, Principal and Interest, and whole Expenses appertaining thereto, for which such Sale is made; and any Judgment of the Court of Session pronounced in any Suspension of any such intended Sale on the Ground of manifest Excess shall be final, and not subject to Appeal; and wherever upon a Sale of such entailed Estate or of any Portion or Portions thereof by such Creditor acting under such Powers as aforesaid there shall arise a Surplus of the Price after Payment of such Debt, Principal and Interest, and whole Expenses effeiring thereto, such Creditor shall only be entitled to Payment from the Purchaser of the Amount of such Debt, Principal and Interest, and whole Expenses effeiring thereto; and such Creditor and Purchaser shall be bound forthwith to present or cause to be presented an Application to the Court, setting forth such Surplus, and praying for the Reinvestment thereof in other Lands or Heritages, to be entailed, at the Sight of the Court, on the same Scies of Heirs, and, as far as may be, in the same Terms, and subject to the same Prohibitions, Conditions, Restrictions, Limitations, and Clauses irritant and resolute as are contained in the Tailzie under which the Estate or the Portion or Portions thereof so sold was or were holden previous to such Sale, or for the Disposal of such Surplus in such other Manner as the Court may direct consistently with the Provisions of this Act; and on such Application being presented the Court shall ordain the Petitioner, or other Party in whose Hands the admitted Surplus may be, to pay the same into Bank, and to produce a Receipt therefor taken, payable as the Court may direct, and shall also appoint such Intimation and Advertisement of the Application as they may deem proper; and it shall be competent to the Court

dren may be granted out of Money vested in trust for the Purchase of Lands to be entailed.

Creditor not to sell Land in excess of what is necessary to pay Debt affecting the Estate, and Reinvestment of Surplus.

Court under such Application to ascertain and determine the just Amount of such Surplus, and to give Decree for the same, and to exonerate and discharge the Creditor and Purchaser, and all Others thereof, and also, if such Surplus shall exceed Two hundred Pounds, to see to the Reinvestment thereof in other Lands or Heritages, and to the entailing of such Lands or Heritages as aforesaid, or to the Disposal of such Surplus in such other Way and Manner as may be consistent with the Provisions of this Act, and as may appear to the Court to be suitable and proper; and if such Surplus shall be reinvested in other Lands or Heritages as aforesaid, the Tailzie of such other Lands or Heritages shall, whatever be its actual Date, be taken to be of equal Date with the Tailzie of the Remainder of such entailed Estate; and if such Surplus shall not exceed Two hundred Pounds the Court shall order the same to be paid over to the Heir of Entail in possession, for his own Use and Behoof.

Guardians
may con-
sent for
Minors.

XXXI. And be it enacted, That, unless where inconsistent with any other Provisions of this Act, it shall be competent for the Court of Session, where any Heir of Entail whose Consent is required under this Act shall be under Age, or subject to any legal Incapacity, to appoint, in the course of any Application to which such Consent is required, a separate Tutor ad litem, or Curator ad litem, or Curator bonis, or other Guardian, to each such Party; and such Tutor ad litem, or Curator ad litem, or Curator bonis, or other Guardian, being so appointed by the Court, shall be charged with the Interest of such Party in Reference to such Application, and shall be entitled, with or without Consideration, to act and to give Consent on the Behalf of such Party; and no Tutor or Curator or other legal Guardian who may give any Consent under this Act on behalf of any Heir substitute shall incur any Responsibility on account of such Consent in respect of any alleged Error in Judgment, or Inadequacy of Consideration, or Want of Consideration therefor, unless it shall also be alleged and proved that he acted corruptly in the Matter; and such Consent by such Tutor or Curator or other legal Guardian shall be in all respects as effectual as if the same had been given by such Heir himself when of full Age and of legal Capacity to act in his own Affairs: Provided always, that no Heir of Entail in possession of an entailed Estate in *Scotland*, or whose own Consent shall be required in the Application, shall be entitled to give Consent on the Behalf of any other Party in reference to any Application for Disentail of such Estate.

Form and
Effect of

XXXII. And be it enacted, That an Instrument of Disentail under this Act may be in the Form or as nearly as may be in
the

the Form set forth in the Schedule to this Act annexed, and it shall be the Duty of the Keeper of the Register of Tailzies for the Time being to record such Instrument, when duly presented, under Authority of the Court for that Purpose, in the Register of Tailzies along with the Decree of Court on which it proceeds, upon payment of such Fee for the same as may be fixed by the Court by Act of Sederunt; and such Instrument, when duly executed, and recorded in the Register of Tailzies, under Authority of the Court, in Terms of this Act, shall have the Effect of absolutely freeing, relieving, and disincumbering the entailed Estate to which such Instrument applies, and the Heir of Entail in possession of the same, and his Successors, of all the Prohibitions, Conditions, Restrictions, Limitations, and Clauses irritant and resolute of the Tailzie under which such Estate is held, and of entitling such Heir in possession to alter the Course of Succession prescribed by such Tailzie, and to alienate and dispoise such Estate, onerously or gratuitously, and to burden the same with Debt, and to do any other Act or Deed in relation thereto competent by Law to any absolute Proprietor in Fee Simple: Provided always, that such Instrument of Disentail shall in no way defeat or affect injuriously any Charges, Burdens, or Incumbrances, or Rights or Interests, of whatsoever Kind or Description, held by Third Parties, and lawfully affecting the Fee or Rents of such Estate, or such Heir in possession or his Successors, other than the Rights and Interests of the Heirs Substitute of Entail in or through the Tailzie under which such Estate is held, but that all such Charges, Burdens, and Incumbrances, and Rights and Interests, other than as aforesaid, shall remain at least as valid and operative in all Respects as if no such Instrument of Disentail had been executed or recorded.

Instru-
ment of
Disentail,
and Regis-
tration
thereof.

XXXIII. And be it enacted, That it shall be lawful for any Heir of Entail in possession of an entailed Estate in *Scotland*, desiring to take advantage of any of the Provisions of this Act as to which the Authority of the Court is by this Act required, to make Application to that Effect by way of summary Petition to the Court, and such Petition shall set forth the Tailzie under which such Estate is held, and the Date of the Petitioner's Infestment therein, if any be, and the Names, Designations, and Places of Abode, so far as known to the Petitioner, of the Heirs Substitute of Entail (if any) whose Consents are required to such Petition, and whether such Heirs Substitute are of Age to consent on their own Behalf, and if not then the Names, Designations, and Places of Abode of their Fathers, or Tutors or Curators or other legal Guardians, and if such Heirs Substitute or any of them are the Children of such

Applica-
tions to the
Court.

such Heir of Entail in possession himself, and are Minors, or legally incapacitated to act in their own Affairs, the same shall be stated in such Petition, and such Petition shall also set forth specifically to what Extent and in what Way and Manner such Estate is proposed to be affected.

Intimation
of Peti-
tions.

XXXIV. And be it enacted, That the Court, on any such Petition being presented to it in Terms of this Act, shall appoint Intimation thereof to be made in the Minute Book and on the Walls in common Form, and shall also appoint the same to be publicly advertized once in the *Edinburgh Gazette*, and at least once weekly for Six successive Weeks, or for any longer Period the Court shall deem fit, in such Newspaper or Newspapers as shall be appointed by the Court; and it shall be sufficient in such Advertisements to state the leading Name of such Lands by which the same are commonly known, without any detailed Description thereof.

Procedure
in Court.

XXXV. And be it enacted, That after Intimation and Advertisement as aforesaid in Terms of such Deliverance of the Court it shall be competent to such Petitioner to move the Court to grant the Prayer of such Petition; and if the Procedure shall appear to the Court to be regular and proper, the Court shall interpose their Authority, and give Decree authorizing such Petitioner to do and perform the Act or Acts proposed in such Petition, in so far as the same may appear to the Court to be permitted by this Act, or the Court shall do otherwise in reference to such Petition as may appear to them to be proper, and consistent with this Act: Provided always, that it shall be competent, at any Time before Decree is actually pronounced and extracted, for any Person or Persons having Interest to compare and object on any relevant Ground to the Prayer of such Petition; and in the event of such Objection being offered the Court shall investigate and dispose of the same by such Form of Procedure as may seem to the Court to be expedient and proper; and in all Applications presented under this Act it shall be competent to the Court to decern for Costs of Suit against the Parties to the Proceedings, or any of them, or to decern for Payment thereof out of the Estate or Fund to which such Applications respectively relate.

Heirs to be
called in
Proceed-
ings under
this Act.

XXXVI. And be it enacted, That it shall not be necessary in any Proceedings under this Act to call as Parties thereto any Heirs of Entail other than those whose Consent would be required by the Heir in possession for the Time to an Instrument of Disentail; and no Heir of Entail other than those whose Consent would be required as aforesaid shall be entitled to appear or to be heard in such Proceedings.

Excam-
bions under

XXXVII. And whereas by the said recited Act passed in
the

the Session of Parliament holden in the Sixth and Seventh Years of the Reign of his late Majesty King *William* the Fourth certain Powers to make Excambions are conferred upon Heirs of Entail, certain Notices being given to Heirs Substitute and others, and certain Advertisements made, and certain Procedure had before the Court of Session, all as in the said recited Act especially provided; and it is expedient to simplify the Mode of effecting Excambions under the said Act, and to diminish the Expense thereof; be it enacted, That from and after the passing of this Act it shall not be necessary for any Heir of Entail in possession intending to effect any Excambion under or by virtue of the said recited Act to adopt any of the Procedure thereby required, but it shall be competent to such Heir of Entail to present an Application to the Court by way of summary Petition in the Form and Manner provided by this Act, and the Court shall entertain, proceed with, and dispose of the same in every respect as if the Powers to effect Excambions conferred by the said recited Act had been contained in and conferred by this Act; and further, it shall not be necessary to record any Contract of Excambion which shall be executed at the Sight and with the Approbation of the Court, as required by the said recited Act, in any other Register than the Register of Tailzies.

the Act 6 & 7 W. 4. c. 42. may be carried through under the Forms of this Act.

XXXVIII. And be it enacted, That any Instrument of Disentail recorded in the Register of Tailzies under the Authority of the Court, where the Judgment of the Court allowing such Instrument of Disentail has not been brought under Review of the House of Lords by Appeal, or where such Judgment has not been brought under Reduction upon any relevant Ground during the Period within which such Judgment might have been appealed from, shall, as regards any Third Parties acting *bonâ fide* on the Faith thereof, be no longer reducible on any Ground of Irregularity or Noncompliance with the Provisions of this Act, but in respect of any such Ground of Challenge be final and conclusive.

Instruments of Disentail to be final.

XXXIX. And be it enacted, That in any Tailzie dated on or after the First Day of *August* One thousand eight hundred and forty-eight, containing an express Clause authorizing Registration in the Register of Tailzies, it shall not be necessary to insert any irritant or resoluteive Clauses in order to render such Tailzie effectual in Terms of an Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, but such Clause of Registration shall have in every respect the same Operation and Effect as the most formal irritant and resoluteive Clauses duly applied to every Prohibition, Condition, Restriction,

In future Entail, irritant and resoluteive Clauses implied in Warrant to record.

tion, and Limitation contained in such Tailzie, except only such Prohibitions, Conditions, Restrictions, and Limitations as by the Terms of such Tailzie may be specially excepted; and such Clause authorizing Registration in the Register of Tailzies shall be engrossed as Part of such Tailzie in the Register of Tailzies when such Tailzie is recorded therein, and shall also be inserted or duly referred to in all Procuratories of Resignation, Charters, Decrees of Special Service, Precepts, and Instruments of Seisin following on such Tailzie, in the same Manner, or as nearly as may be in the same Manner, as irritant and resolute Clauses are now required to be so inserted or referred to.

Irritancy
not to
affect Con-
veyances
or Securi-
ties.

XL. And be it enacted, That no Irritancy committed or that may be committed by any Heir of Entail in possession of an entailed Estate in *Scotland* shall operate to set aside, impair, or in any way affect, directly or indirectly, in the Person of any Purchasers or *bonâ fide* onerous Creditors, any Conveyances, Deeds, or Securities granted in reference to such Estate, or the Rents thereof, prior to the Execution of the Summons of Declarator on which Decree in respect of such Irritancy shall proceed, and not invalid as being inconsistent with the Provisions of the Entail under which such Estate is held.

39 & 40 G.
3. applied
to Herita-
ble Pro-
perty in
Scotland.

XLI. And whereas an Act was passed in the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third, intituled *An Act to restrain all Trusts and Directions in Deeds or Wills whereby the Profits or Produce of Real or Personal Estate shall be accumulated, and the beneficial Enjoyment thereof postponed beyond the Time therein limited*, by which Act it is provided and enacted, "that nothing in this Act contained shall extend to any Disposition respecting Heritable Property within that Part of *Great Britain* called *Scotland*;" and it is expedient that the Provisions of the said Act should be extended to Heritable Property in *Scotland*; be it enacted, That the said Provision and Enactment of the said recited Act shall be and the same is hereby repealed, and the said Act shall in future apply to Heritable Property in *Scotland*.

Proceed-
ings may
be taken
under this
Act,
though En-
tail not re-
corded or
Heir infest.
Entail de-
fective in
any one
Prohibi-

XLII. And be it enacted, That all the Acts hereby permitted to be done by an Heir in possession of an entailed Estate, in virtue of the Deed of Entail under which such Estate is held, may be done by such Heir, whether such Deed of Entail be recorded in the Register of Tailzies or not, or whether such Heir be duly infest in such Estate or not.

XLIII. And be it enacted, That where any Tailzie shall not be valid and effectual in Terms of the said recited Act of the *Scottish* Parliament passed in the Year One thousand six hundred and eighty-five, in regard to the Prohibitions against

Alienation

Alienation and Contraction of Debt, and Alteration of the Order of Succession, in consequence of Defects either of the original Deed of Entail or of the Investiture following thereon, but shall be invalid and ineffectual as regards any one of such Prohibitions, then and in that Case such Tailzie shall be deemed and taken from and after the passing of this Act to be invalid and ineffectual as regards all the Prohibitions; and the Estate shall be subject to the Deeds and Debts of the Heir then in possession, and of his Successors, as they shall thereafter in Order take under such Tailzie; and no Action of Forfeiture shall be competent at the Instance of any Heir Substitute in such Tailzie against the Heir in possession under the same by reason of any Contravention of all or any of the Prohibitions; and where any Money or other Property, Real or Personal, has been or shall be invested in trust for the Purpose of purchasing Lands to be entailed, or where any Lands are or shall be directed to be entailed, but the Direction has not been carried into effect, such Trust Money or other Property, and such Lands, though still unentailed, may be dealt with under this Act in all respects as such Lands might have been dealt with if entailed in Terms of such Trust or Directions.

XLIV. And be it enacted, That it shall be lawful for and incumbent upon the Keepers of the Registers of Sasines of every County in which any Lands contained in any Instrument of Disentail are situated and of the Keepers of the General Register of Sasines at *Edinburgh* respectively to record any such Instrument of Disentail, and any Decree of the Court pronounced under this Act, when presented to them for that Purpose, on Payment of such Fees for the Registration thereof as may be fixed by the Court by Act of Sederunt.

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bad as to
all.

Instru-
ments of
Disentail
may be re-
gistered in
the Regis-
ters of
Sasines.

XLV. And be it enacted, That no Heir of Entail or other Person shall, by taking advantage of the Provisions of this Act, or by acting under the same, incur any Irritancy or Forfeiture under any Tailzie, any thing in such Tailzie to the contrary notwithstanding; and no Disposition, or Bond and Disposition in Security, or Bond of annual Rent, or other Deed, Instrument, or Writing, granted under Authority of this Act, shall be held as any Contravention of or be in any way affected by any Prohibitions, Conditions, Restrictions, Limitations, or Clauses prohibitory, irritant, and resolute contained in any Tailzie.

No Irri-
tancy or
Forfeiture
to be in-
curred for
any thing
done under
this Act.

XLVI. And be it enacted, That the before-recited Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and eighty-five shall be and the same is hereby repealed, to the Effect of making the Provisions of this Act operative, but no further.

Act 1685
to remain
in force,
except as
affected by
this Act.

XLVII. And

Act not to
bedefeated
by Trusts ;

XLVII. And be it enacted, That where any Land or Estate in *Scotland* shall, by virtue of any Trust Disposition or Settlement or other Deed of Trust whatsoever dated on or after the First Day of *August* One thousand eight hundred and forty-eight, be in the lawful Possession, either directly or through any Trustees for his Behoof, of a Party of full Age born after the Date of such Trust Disposition or Settlement or other Deed of Trust, such Party shall not be in any way affected by any Prohibitions, Conditions, Restrictions, or Limitations which may be contained in such Trust Disposition or Settlement or other Deed of Trust, or by which the same or the Interest of such Party therein may bear to be qualified, such Prohibitions, Conditions, Restrictions, or Limitations, being of the Nature of Prohibitions, Conditions, Restrictions, or Limitations of Entail, or intended to regulate the Succession of such Party, or to limit, restrict, or abridge his Possession or Enjoyment of such Land or Estate in favour of any future Heir, and such Party shall be deemed and taken to be the Fee Simple Proprietor of such Land or Estate, and it shall be lawful to such Party to make Application by way of summary Petition to the Court of Session, setting forth the Facts, and referring to this Act, and craving the Court to pronounce an Act and Decree declaring him Fee Simple Proprietor of such Land or Estate, and unaffected by any such Conditions, Provisions, Restrictions, or Limitations ; and the Court shall proceed in such Petition as may be just, and shall have Power to pronounce an Act and Decree declaring such Party to be Fee Simple Proprietor of such Land or Estate, and unaffected as aforesaid ; and such Act and Decree may be recorded in the Register of Sasines, and being so recorded shall have all the Operation and Effect of the most formal and valid Disposition to such Party, and his Heirs and Assignees whomsoever, of such Lands or Estate, with Infestment thereon in favour of such Party duly recorded : Provided always, that the Rights of the Superior of such Lands or Estate, and of all Parties holding Securities thereon, and all Rights which are held independently of such Trust Disposition or Settlement or other Deed of Trust, shall be as they are hereby reserved entire.

or by
Liferents ;

XLVIII. And be it enacted, That from and after the passing of this Act it shall be competent to grant an Estate in *Scotland* limited to a Liferent Interest in favour only of a Party in Life at the Date of such Grant ; and where any Land or Estate in *Scotland* shall, by virtue of any Deed dated on or after the said First Day of *August* One thousand eight hundred and forty-eight, be held in Liferent by a Party of full Age, born after the Date of such Deed, such Party shall not be in any way affected

affected by any Prohibitions, Conditions, Restrictions, or Limitations which may be contained in such Deed, or by which the same or the Interest of such Party therein may bear to be qualified, and such Party shall be deemed and taken to be the Fee Simple Proprietor of such Estate, and it shall be lawful to such Party to obtain and record an Act and Decree of the Court of Session in the like Form and Manner and in the like Terms and with the like Operation and Effect as is hereinbefore provided with reference to an Act and Decree of the said Court in the Case of Deeds of Trust: Provided always, that the Rights of the Superior of such Lands or Estate, and of all Parties holding Securities thereon, and all Rights which shall be held independently of the Deed by which such Life-rent is constituted, shall be as they are hereby reserved entire.

XLIX. And be it enacted, That where any Land or Estate in *Scotland* shall, by virtue of any Tack, Assignment of Tack, or other Deed or Writing dated on or after the said First Day of *August* One thousand eight hundred and forty-eight, be held in Lease, either directly or through Trustees for his Behoof, by a Party of full Age born after the Date of such Tack, Assignment of Tack, or other Deed or Writing, such Party shall not be in any way affected by any Prohibitions, Conditions, Restrictions, or Limitations which may be contained in such Tack, Assignment of Tack, or other Deed or Writing, or by which the same or the Interest of such Party therein may be qualified, such Prohibitions, Conditions, Restrictions, or Limitations being of the Nature of Prohibitions, Conditions, Restrictions, or Limitations of Entail, or intended to regulate the Succession of such Party, or to limit, restrict, or abridge his Possession or Enjoyment of such Land or Estate in favour of any future Heir: Provided always, that it shall be lawful to the Proprietor of whom such Lease is held to enforce any Prohibitions, Conditions, Restrictions, or Limitations contained in such Tack, Assignment of Tack, or other Deed or Writing which shall have been inserted therein for the *bonâ fide* Purpose of protecting the just Rights and Interests of such Proprietor, in so far as such Enforcement may be necessary in order to such Protection.

L. And be it enacted, That all Consents of Heirs of Entail, or of their Tutors or Curators or other legal Guardians, under this Act, shall be in the Form of Writings duly tested according to the Law of *Scotland*, and otherwise in such Form as may be fixed by the Court of Session by Act of Sederunt; and no Consent duly given in the Manner provided by this Act shall be revocable by the Granter thereof.

LI. And be it enacted, That it shall be lawful to the Court to make Acts

or by
Leases.

Consent to
be in Writ-
ing, and to
be irrevoc-
able.

Court may
to make Acts

of Sederunt.

to pass such Act or Acts of Sederunt as the Court may deem proper for the further Regulation of the Forms of Procedure under this Act, and otherwise for rendering this Act more effectual, according to the true Intent and Meaning hereof.

Interpretation of Act.

LII. And be it enacted, That in construing this Act, except where the Nature of the Provision shall be repugnant to such Construction, the Words "Court of Session" or "the Court" shall be construed to mean either Division of the Court of Session; and the Words "Heir" and "Heir of Entail" shall include the Institute; and the Words "Heir Apparent" shall be construed to mean the Heir who is next in succession to the Heir in possession, and whose Right of Succession, if he survive, must take effect; the Words "Land" and "Lands" shall extend to and comprehend all Heritages; the Words "entailed Estate" shall extend to and comprehend all Heritages which by the Law of *Scotland* may be made the Subject of Entail; the Words "Creditor" and "Creditors" shall extend to and comprehend the Heirs and Assignees of such Creditor or Creditors; and all Words used in the Singular Number shall be held to include several Persons or Things; and Words in the Plural shall be held to include the Singular Number; and all Words importing the Masculine Gender shall extend and be applied to Females as well as Males.

Act may be amended, &c.

LIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULE to which the foregoing Act refers.

Form of Instrument of Disentail

[At [*state Place*] the [*state Date*], in Presence of [*name Notary Public*] Notary Public, and of the Witnesses subscribing, I [*Name and Designation of Heir in possession*], Heir of Entail in possession of the Lands and others after mentioned, viz., [*take in full description from Titles*], which Lands and others are held by me under a Deed of Entail dated [*state Date of Entail*], and recorded [*state Particulars of Registration*], take Instruments in the Hands of the said Notary Public subscribing that the said Lands and others are now held by me free from the Conditions, Provisions, and Clauses prohibitory, irritant, and resolute of the Entail, by virtue of the Act [*specify this Act*]; and I consent to the Registration hereof in the Register of Tailzies, and also in the Books of Council and Session and others competent, therein to remain for Preservation, and thereto constitute my Procurators, &c.

In

In witness whereof I and the said Notary Public have subscribed this Instrument of Disentail, [*complete the Testing Clause in ordinary Form*].

[*Signature of Heir of Entail in possession.*]

[*Signature of Notary Public.*] N.P.

A. B., Witness.

C. D., Witness.

CAP. XXXVII.

An Act to amend the Law relative to the Assignment of Ecclesiastical Districts.—[14th August 1848.]

CAP. XXXVIII.

An Act to authorize the West India Relief Commissioners to grant further Time for the Repayment of Monies advanced by them in certain Cases.—[14th August 1848.]

CAP. XXXIX.

An Act to facilitate the raising of Money by Corporate Bodies for building or repairing Prisons.—[14th August 1848.] (England.)

CAP. XL.

An Act to alter the Mode of assessing the Funds leviable in the County of Inverness, for making and maintaining certain Roads and Bridges and other Works in the Highlands of Scotland.—[14th August 1848].

WHEREAS an Act was passed in the Forty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards making Roads and building Bridges in the Highlands of Scotland, and for enabling the Proprietors of Land in Scotland to charge their Estates with a Proportion of the Expense of making and keeping in repair Roads and Bridges in the Highlands of Scotland*, whereby the Sum of Twenty thousand Pounds was directed to be issued from His Majesty's Exchequer in Great Britain, to be paid and applied by the Commissioners thereby appointed in the making and erecting Roads and Bridges in the Highlands of Scotland; and the Commissioners of His Majesty's Treasury were authorized to direct a proper Person to make a Survey of

43 G. 3. c
80.

of the Roads and Bridges advisable to be made and erected, and to report thereon, with an Estimate of the Expense thereof; and such Survey, Report, and Estimate being referred to the Commissioners thereby appointed, and approved of by them, the Roads and Bridges so surveyed and reported upon were to be made and erected in the Manner therein directed, and One Half of the Expense of making and erecting such Roads and Bridges was to be paid by Contributors, and One Half thereof by the Public: And whereas another Act was passed in the Fifty-ninth Year of the Reign of His said Majesty, intituled *An Act to repeal Two Acts made in the Fifty-fourth and Fifty-fifth Years of the Reign of His present Majesty, for maintaining and keeping in repair certain Roads and Bridges in Scotland, to provide more effectually for that Purpose, and for Regulation of Ferries in Scotland*, which Act, upon a Recital that certain Roads and Bridges for the Purpose of Military Communication had been made in the Highlands of Scotland at the public Expense, and of the said recited Act, and that a further Sum of Money had at sundry Times been granted in further Execution of the said Act, provides the Manner in which the said Military Roads and Bridges and the said Highland Roads and Bridges made and completed in pursuance of the said recited Act shall be maintained and repaired, and particularly that in the County of *Inverness* the Three Fourth Parts of the Money to be expended upon the Roads and Bridges thereby directed to be maintained and kept in repair should be raised by an Assessment upon every Proprietor, Life-renter, or proper Wadsetter of Land enjoying the Dominium utile thereof, according to the Amount of their respective Rents and Profits as assessed to the Property Tax in the Year ending the Fifth Day of April One thousand eight hundred and fourteen, under Schedule (A.) of an Act passed in the Forty-sixth Year of the Reign of His said Majesty, intituled *An Act for granting to His Majesty, during the present War, and until the Sixth Day of April next after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties in Great Britain on the Rates and Duties on Profits arising from Property, Professions, Trades, and Offices; and for repealing an Act passed in the Forty-fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty-third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades, and Offices; and to consolidate and render more effectual the Provisions for collecting the said Duties, for such Sum as shall in the whole repay the Money advanced on behalf of the Heritors of such County for the Purposes of the said Act*

59 G. 3. c.
135.

46 G. 3. c.
65.

of

of the Fifty-ninth Year of the Reign of His said Majesty King *George the Third*: And whereas another Act was passed in the Fourth Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act for maintainnig in repair the Military and Parliamentary Roads and Bridges in the Highlands of Scotland, and also certain Ferry Piers and Shipping Quays erected by the Commissioners for Highland Roads and Bridges*, whereby Provision was made for eventually increasing the Assessments under the said Acts, or erecting Toll Bars for the Collection of Rates in aid or in lieu of the Assessments levied in the County, and for Repair of Ferry Piers and Shipping Quays, and authorizing Regulations to be made for the Preservation and use thereof: And whereas another Act was passed in the Fifth Year of the Reign of His said Majesty King *George the Fourth*, intituled *An Act to amend Two Acts for maintaining and keeping in repair the Military and Parliamentary Roads in the Highlands of Scotland*: And whereas another Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to amend Three Acts passed for maintaining and keeping in repair the Military and Parliamentary Roads and Bridges in the Highlands of Scotland, and to improve certain Lines of Communication in the Counties of Inverness and Ross*: And whereas the Commissioners appointed under the said Acts, or One or other of them, have put the same into execution, and various Sums have been advanced by Government, and large Sums have also been contributed or raised by Assessment, and applied to the Purposes of the said Acts, and a great Extent of Military Roads and Bridges, and other Roads and Bridges, and Ferry Piers, and Shipping Quays, and other Works, have been constructed, repaired, and maintained, with the Consent and Approbation of the said Commissioners: And whereas, in virtue of the said recited Act of the Fifty-ninth Year of the Reign of His Majesty King *George the Third*, various Proprietors of Lands and Heritages in the County of *Inverness* were assessed and have continued from Year to Year to pay Assessments according to the Amount of the Rents and Profits of their respective Estates as assessed to the Property Tax in the Year One thousand eight hundred and fourteen, in which Rents and Profits was included the annual Value of the Kelp grown and manufactured upon the Shores of their Estates, which at that Time bore a very high Price in the Market, notwithstanding that since the passing of certain Acts reducing and modifying the Duty (which is now merely nominal) on the importation of Barilla, Kelp has so much fallen in Value as to have ceased

4 G. 4. c.
56.

5 G. 4. c.
38.

3 & 4 W.
4. c. 33.

to

Assessment to be made on the annual Value of Lands and Heritages as assessed to the Property Tax under Acts 5 & 6 Vict. c. 35, and 8 & 9 Vict. c. 4.

to be manufactured upon some Estates, and on all Estates has suffered a great Reduction in Price; and it is just and expedient that such Proprietors should pay Assessments only upon the actual Value of the Produce of their Estates, and that another and more equitable Mode of Assessment should be adopted: Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifteenth Day of *April* One thousand eight hundred and forty-nine the Assessments to be levied in the County of *Inverness*, in virtue of the said recited Acts or any of them, for the Maintenance and Repair of the Roads and Bridges, and of the Ferries, Piers, and Shipping Quays, in the Manner authorized by the said recited Acts, shall be made upon every Proprietor, Life-renter, or proper Wadsetter of Lands and Heritages enjoying the Dominium utile thereof, according to the respective annual Values of such Lands and Heritages as assessed to the Property Tax for the Year ending the Fifth Day of *April* One thousand eight hundred and forty-seven, under Schedule (A.) of an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, until the Sixth Day of April One thousand eight hundred and forty-five*, as continued by another Act passed in the Eighth and Ninth Years of the Reign of Her Present Majesty, intituled *An Act to continue for Three Years the Duties and Profits arising from Property, Professions, Trades, and Offices*, and thereafter yearly, according to the Amount of the annual Values respectively of such Lands and Heritages, as assessed to the Property Tax in each succeeding Year under the said recited Acts of Her present Majesty.

In case of Expiration, &c. of the Two last-recited Acts, Assessment to be continued as for the Year preceding.

II. Provided always, and be it enacted, That in the Event of the Expiration or Repeal of the said recited Acts of Her present Majesty, such Assessment shall thereafter be made from Year to Year, according to the annual Values of the Lands and Heritages of such Proprietors, Life-renters, or Wadsetters as assessed to the Property Tax in the Year immediately preceding the Expiration or Repeal of the said recited Acts of Her present Majesty.

At the End of Five Years, Commissioners of Supply

III. Provided also, and be it enacted, That if at the End of Five Years after the Expiration or Repeal of the said recited Acts of Her present Majesty, or at any Time thereafter, it shall appear to the Commissioners of Supply of the said County that the operation of the Assessment under this Act

has

has become unjust or unequal, the Commissioners of Supply of the said County shall have Power to make up, and shall make up, from any existing Rental of the County used for the Purpose of Assessment or otherwise, in such Way and Manner as to them shall seem proper, a new Rental according to the respective annual Values for the Time of such Lands and Heritages; which new Rental, when completed, shall for the Year of its Completion, and thereafter, be the Rule of Assessment under this Act; and such and the same Power shall in the same Circumstances be competent to and be exercised by the said Commissioners of Supply with such and the same Effect, at the Expiration of Ten Years from the Adoption of the said new Rental, and at the Expiration of each Period of Ten Years thereafter.

may alter Mode of Assessment as may be then suitable;

and again at the Expiration of every Ten Years.

IV. Provided also, and be it enacted, That if under the Provisions of any Act to be passed in the present or any future Session of Parliament a Valuation shall be made of the Lands and Heritages of the said County, to ascertain and fix the real annual Value thereof in order to Assessment, the Assessments to be imposed and levied in the said County for the Maintenance and Repair of the said Roads and Bridges, and Ferries, Piers, and Shipping Quays within the same, shall, after such Valuation shall be completed, be no longer made according to the annual Values of such Lands and Heritages as assessed to the Property Tax, but shall be imposed and levied upon the real annual Value thereof, as the same shall be ascertained and fixed as aforesaid; without Prejudice, nevertheless, to the Recovery of any Assessment imposed previous to the passing of such Act, or any Arrears of such Assessment.

If real annual Value of the County be ascertained, the Assessment to be thereafter imposed on such Value.

V. And be it enacted, That the said first Five recited Acts shall in all respects, except in so far as the same or any of them are or is altered by this Act, remain in full Force and Operation, and shall, with all the Clauses and Provisions thereof, be applicable and applied (in as far as the same are or is applicable) to this Act, and shall be as valid and efficient for ascertaining the Amount of the Assessments, and for the Recovery and Application thereof, and in all other respects for regulating the Proceedings under this Act, as if the same had been herein repeated and re-enacted.

The Five first-recited Acts to remain in force and be applicable to the Purposes of this Act.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. XLI.

An Act to amend the Laws relating to the Ecclesiastical Unions and Divisions of Parishes in Ireland.—[14th August 1848.]

CAP. XLII.

CAP. XLII.

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to Persons charged with indictable Offences.—[14th August 1848.]

CAP. XLIII.

An Act to facilitate the Performances of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to summary Convictions and Orders.—[14th August 1848.]

CAP. XLIV.

An Act to protect Justices of the Peace from vexatious Actions for Acts done by them in execution of their Office.—[14th August 1848.] (England.)

CAP. XLV.

An Act to amend the Acts for facilitating the winding up the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements; and also to facilitate the Dissolution and Winding up of Joint Stock Companies and other Partnerships.—[14th August 1848.]

Decrees,
&c. under
this Act
may be re-
gistered in
Scotland,
and Exe-
cution may
be had as
upon a De-
cree inter-
poned upon
a Bond, &c.

CXVI. And be it enacted, That on Production at the Office in *Edinburgh* kept for the Registration of Deeds, Bonds, Protests, and other Writs registered in the Books of Council and Session, of an Office Copy of any Order of the Court or of the Master made in any Proceeding under or by virtue of this Act, and of an Affidavit that Application has been duly made to the Person mentioned in such Order for Payment of the Sum thereby ordered to be paid by him, and that Default has been made in Payment thereof, then such Order shall thereupon be registerable in like Manner as a Bond executed according to the Law of *Scotland* with a Clause of Registration therein contained; and Decree shall be interponed to such Order, upon which Execution shall pass, in like Manner as Execution passes upon a Decree interponed to such Bond, and shall have the like Effect upon and against the Person named in such Order as if he had executed such Bond.

CXXVII. And

CXXVII. And be it enacted, That this Act shall not apply to *Scotland*, except so far as is by this Act specially provided. Act not to apply to Scotland.

CAP. XLVI.

An Act for the Removal of Defects in the Administration of Criminal Justice.—[14th August 1848.] (England.)

CAP. XLVII.

An Act for the Protection and Relief of the destitute Poor evicted from their Dwellings in Ireland.—[14th August 1848.]

CAP. XLVIII.

An Act to facilitate the Sale of Incumbered Estates in Ireland.—[14th August 1848.]

CAP. XLIX.

An Act for regulating the Sale of Beer and other Liquors on the Lord's Day.—[14th August 1848.]

WHEREAS the Provisions in force within the Metropolitan Police District, and in some other Places in *England*, against the Sale of fermented and distilled Liquors in the Morning of the Lord's Day have been found to be attended with great Benefits: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Licensed Victualler, or Person licensed to sell Beer by Retail to be drunk on the Premises or not to be drunk on the Premises, or other Person, in any Part of *Great Britain* shall open his House for the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors, or sell the same, on *Sunday*, before Half past Twelve o'Clock in the Afternoon, or, where the Morning Divine Service in the Church, Chapel, Kirk, or principal Place of Worship of the Parish or Place shall not usually terminate by that Time, before the Time of the Termination of such Service, and that no Licensed Victualler or other Person in *England* shall open his House for the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors, or sell the same, on *Christmas Day* or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, before the respective Times aforesaid, except, in all the Cases aforesaid, as Refreshment for Travellers: Provided always, that nothing herein contained shall authorize the opening of any House for the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors within the Metropolitan

Prohibition against the Sale of Beer, &c. on Sundays, &c.

Metropolitan Police District, or any City, Town, or Place, at an earlier Hour or Time than is now allowed by Law, where the opening of such House or such Sale is now especially prohibited before any later Hour or Time than that herein-before mentioned.

3 & 4 Vict.
c. 61, s. 15.
repealed in
part.

II. And be it enacted, That so much of an Act passed in the Fourth Year of Her present Majesty, intituled *An Act to amend the Acts relating to the general Sale of Beer and Cider by Retail in England*, as provides that no Person licensed to sell Beer or Cider by Retail as therein mentioned, should have or keep his House open for the Sale of Beer or Cider, nor should sell or retail Beer or Cider, nor should suffer any Beer or Cider to be drunk or consumed in or at such House, at any Hour before One of the Clock in the Afternoon on any *Sunday, Good Friday, Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving, shall, without Prejudice to any pending Proceeding for Breach of such Enactment, be repealed.

Licensed
Victuallers
&c. not to
open House
for Sale of
any Ar-
ticles du-
ring pro-
hibited
Hours.

III. And be it enacted, That it shall not be lawful for any Licensed Victualler, or Person licensed to sell Beer by Retail to be drunk on the Premises or not to be drunk on the Premises, or any Person licensed or authorized to sell any fermented or distilled Liquors, or any Person who, by reason of the Freedom of the Mystery or Craft of Vintners of the City of *London* or of any Right or Privilege, shall claim to be entitled to sell Wine by Retail to be drunk or consumed on the Premises, to open his House for the Sale of any other Articles whatsoever within the respective Times during which the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors is herein-before prohibited, except as Refreshment for Travellers.

Restricting
the Sale of
Liquors
before a
certain
Time on
Sundays,
&c.

IV. And be it enacted, That no Person shall open any House or Place of public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in *England* or *Scotland* before the Hour of Half past Twelve of the Clock in the Afternoon, or where the Morning Divine Service in the Church, Chapel, Kirk, or principal Place of Worship shall not usually terminate by that Time, before the Time of the Termination of such Service on *Sunday*, or in *England* before the like Hour on *Christmas Day* or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, except as Refreshment for Travellers.

Power to
Constables
to enter
Houses
opened for
Sale of
Liquors.

V. And be it enacted, That it shall be lawful for any Constable at any Time to enter into any House or Place of public Resort for the Sale of Wine, Spirits, or other fermented or distilled Liquors; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be deemed Guilty of an Offence against this Act.

VI. And

VI. And be it enacted, That every Person offending against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, or in *Scotland* before any Justice of the Peace or Sheriff or Magistrate having Jurisdiction in the Place where the Offence shall be committed, to a Penalty not exceeding Five Pounds for every such Offence; and every separate Sale shall be deemed a separate Offence.

Penalty for
offending
against this
Act.

VII. And be it enacted, That this Act may be repealed or amended in this present Session of Parliament.

Act may be
repealed,
&c.

CAP. L.

An Act to empower the Commissioners of Her Majesty's Woods to remove the Colonnade in the Regent's Quadrant.—[14th August 1848.]

CAP. LI.

An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in Ireland.—[14th August 1848.]

CAP. LII.

An Act to explain the Acts for preventing the Destruction of the Breed of Salmon and Fish of the Salmon Kind.—[14th August 1848.] (England & Wales.)

CAP. LIII.

An Act to empower the Commissioners of Her Majesty's Woods to make certain Alterations and Improvements in the Approaches to the Castle and Town of Windsor.—[14th August 1848.]

CAP. LIV.

An Act for incorporating the Commissioners of the Caledonian Canal, and for vesting the Crinan Canal in the said Commissioners.—[14th August 1848.]

WHEREAS by an Act passed in the Forty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds towards defraying the Expense of making an inland* 43 G. 3. c. 102.

inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William, and for taking the necessary Steps towards executing the same, certain Persons therein named were appointed Commissioners for the Purposes of the said Act, and certain Powers were granted for carrying the same into execution: And whereas by an Act passed in the Forty-fourth Year of the Reign of His said Majesty, intituled *An Act for making further Provision for making and maintaining an Inland Navigation commonly called the Caledonian Canal, from the Eastern to the Western Sea, by Inverness and Fort William in Scotland*, further Powers were granted to the said Commissioners to enable them to make and maintain the said Navigation: And whereas the said Canal became navigable from Sea to Sea in the Month of October One thousand eight hundred and twenty-two, and has been in use from that Time: And whereas an Act was passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to explain and amend Two Acts, passed in the Forty-third and Forty-fourth Years of the Reign of His late Majesty King George the Third, for making and maintaining an inland Navigation commonly called the Caledonian Canal, by establishing further Checks upon the Expenditure of Public Money for that Purpose, in certain Cases*: And whereas by an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to authorize the Commissioners of Her Majesty's Treasury to grant a Lease of the Caledonian Canal for a Term of Years, and to regulate the future Management thereof*, the Commissioners of Her Majesty's Treasury were empowered to grant or lease the said Canal in Manner there prescribed: And whereas by an Act passed in the Thirty-third Year of the Reign of His said Majesty King George the Third, intituled *An Act for making and maintaining a navigable Canal from Loch Gilp to Loch Crinan in the Shire of Argyll*, the several Persons therein named were incorporated by the Name of "The Company of Proprietors of the Crinan Canal," for the Purpose of making and completing the said Canal and other necessary Works, which said last-recited Act was amended by another Act passed in the Thirty-ninth Year of the Reign of His said Majesty, intituled *An Act for amending and rendering more effectual an Act passed in the Thirty-third Year of the Reign of His present Majesty, intituled 'An Act for making and maintaining a navigable Canal from Loch Gilp to Loch Crinan in the Shire of Argyll.'* And whereas, though a large Sum of Money was subscribed before the passing of the said Act of the Thirty-third Year of the Reign of His said Majesty, it was found to be wholly insufficient to complete the Works of the Crinan Canal,

and

44 G. 3.
c. 62.

6 G. 4.
c. 15.

3 & 4
Vict. c. 41.

33 G. 3.
c. 104.

39 G. 3.
c. 27.

and accordingly the Sum of Twenty-five thousand Pounds was advanced to the said Company by the Lord Chief Baron and other Barons of the Court of Exchequer in *Scotland*, by virtue of an Act passed in the said Thirty-ninth Year of the Reign of His said Majesty, intituled *An Act for empowering the Company of Proprietors of Forth and Clyde Navigation to repay into the Court of Exchequer in Scotland the Sum advanced to them for the Purpose of completing the said Navigation; for repealing so much of an Act of the Twenty-fourth Year of His present Majesty as relates to the said Company; and for enabling the Barons of the said Court of Exchequer to advance Part of the Sum so to be received to the Company of Proprietors of the Crinan Canal, on certain Conditions*: And whereas, pursuant to the Provisions of the said last-recited Act, all the Rates and Duties arising from the *Crinan Canal*, and all the Estate, Right, and Interest of the said Company in and to the same, and all Quays, Houses, Lands, and other Property purchased for the Purposes of the *Crinan Canal*, were assigned and made over by the said Company to the Lord Chief Baron and other Barons of the said Court of Exchequer, until the said Sum of Twenty-five thousand Pounds, with Interest, should be paid and satisfied: And whereas the said Sum of Twenty-five thousand Pounds was applied towards completing the *Crinan Canal*, but being found insufficient for that Purpose, a further Sum of Twenty-five thousand Pounds was advanced to the said Company out of the Aids or Supplies granted for the Service of *Great Britain* for the Year One thousand eight hundred and five, by virtue of an Act passed in the Forty-fifth Year of the Reign of His said Majesty, intituled *An Act for authorizing the Commissioners of His Majesty's Treasury in Great Britain to advance a certain Sum of Money, to be applied in completing the Crinan Canal*, whereby it was provided that the Rates and Duties arising from the *Crinan Canal*, and all the Estate, Right, Title, and Interest of the said Company in and to the same, and the Quays, Houses, Lands, and other Property aforesaid, should remain vested in the Lord Chief Baron and other Barons of the Court of Exchequer in *Scotland* until not only the said first-mentioned Sum of Twenty-five thousand Pounds, and Interest, but also the said further Sum of Twenty-five thousand Pounds, with Interest, should be satisfied and paid, in the same Manner and as fully and effectually as if another Assignment thereof had been made, which last-mentioned Sum of Twenty-five thousand Pounds was afterwards applied towards the Purposes mentioned in the said last-recited Act: And whereas by an Act passed in the Fifty-first Year of the Reign of His said Majesty King *George the Third*, intituled *An Act for granting to*

39 G. 3.
c. 71.

45 G. 3.
c. 85.

51 G. 3.
c. 117.

to His Majesty certain Sums of Money out of the Consolidated Fund of Great Britain, and for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and eleven, and for further appropriating the Supplies granted in this Session of Parliament, the Sum of Five thousand Pounds was granted to His Majesty for effecting the Repairs which were then necessary in consequence of the Inundation of the *Crinan* Canal in the Year One thousand eight hundred and eleven; and the said Sum of Five thousand Pounds having been soon afterwards received from the Lords Commissioners of the Treasury, the same was applied accordingly, and the Tolls, Rates, and Duties arising from the *Crinan* Canal, and all the Estate, Right, Title, and Interest of the said Company in and to the same, and the Quays, Houses, Lands, and other Property aforesaid, were assigned to the said Lord Chief Baron and other Barons of the Court of Exchequer in *Scotland* until the said Sum of Five thousand Pounds, with Interest, should be paid and satisfied: And whereas by virtue of an Act passed in the Fifty-sixth Year of the Reign of His said Majesty, intituled *An Act for authorizing the Barons of the Court of Exchequer in Scotland to order the Payment of a certain Sum of Money, to be applied in completing the Crinan Canal*, the Sum of Nineteen thousand four hundred Pounds was paid to the Commissioners of the *Caledonian* Canal, by the Receiver General of *Scotland*, out of the public Money in his Hands, to be applied, after Payment of the Charges and Expenses of obtaining the said last-recited Act, in completing and repairing the *Crinan* Canal and other Works connected therewith, in such Manner as the said Commissioners should appoint; and by the said Act it was enacted that the Rates and Duties arising from the *Crinan* Canal, and all the Estate, Right, Title, and Interest of the said Company in and to the same, and the Quays, Houses, Lands, and other Property therein mentioned, should remain vested in the said Lord Chief Baron and other Barons of the Court of Exchequer in *Scotland* until not only the said several Sums of Twenty-five thousand Pounds, Twenty-five thousand Pounds, and Five thousand Pounds, and Interest for the same respectively, but also the said Sum of Nineteen thousand four hundred Pounds, with Interest, should be paid or satisfied, in the same Manner and as fully and effectually as if another Assignment thereof had been made: And whereas, in obedience to a Minute issued by the Lords Commissioners of Her Majesty's Treasury on the Twentieth Day of *August* in the Year One thousand eight hundred and thirty-three, by virtue of an Act passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, intituled

56 G. 3.
c. 135.

tuled *An Act to provide for the Execution of the Duties per- 3 & 4 W.
formed by the Barons of Exchequer in Scotland in relation to 4. c. 13.
the Public Revenue, and to place the Management of the Assessed
Taxes and Land Tax in Scotland under the Commissioners for
the Affairs of Taxes*, the remaining Barons of the said Court
of Exchequer in *Scotland* divested themselves of the Rates and
Duties arising from the *Crinan* Canal, the Canal itself, and all
the Estate, Right, Title, and Interest of the aforesaid Company
in and to the same, and the Quays, Houses, Lands, and other
Property thereof, and conveyed the same and every Part
thereof to the King's Remembrancer and Auditor of Exchequer
in *Scotland* for the Time being: And whereas the said Sum of
Nineteen thousand four hundred Pounds was applied towards
the Expenses mentioned in the said recited Act of the Fifty-
sixth Year of the Reign of His Majesty King *George* the
Third, aforesaid: And whereas the Commissioners of the
Caledonian Canal, although originally appointed under the
said Act only to superintend the Expenditure of the said Grant
of Nineteen thousand four hundred Pounds, have, with the
Sanction of the Lords Commissioners of Her Majesty's Treas-
ury for the Time being, continued to manage the Affairs of
the *Crinan* Canal ever since: And whereas the public Debt on
the *Crinan* Canal amounts altogether to the Sum of Seventy-
four thousand four hundred Pounds, without calculating the
Interest which has been long accumulated, and might be
claimed: And whereas the Revenue derived from the *Crinan*
Canal has been since its Construction and is now scarcely suffi-
cient to defray the Cost of maintaining the Canal in efficient
working Order, and there is no Prospect of any Augmentation
of such Revenue, except by an Adjustment of the Duties
leviable, and by the Expenditure of large Sums of Money, as
considerable Repairs are still necessary to render this Naviga-
tion safe and permanently useful: And whereas, considering
the heavy public Debt now due by the said Company of Pro-
prietors, and the lengthened Period of Time which has elapsed
since the Commencement of such Debt, and also considering
the present State of the Revenue derived from the *Crinan*
Canal, and the necessary Expenditure thereon, it is just and
reasonable that the said Canal and Works connected therewith
should be held at the Disposal of the Commissioners of Her
Majesty's Treasury, freed and discharged from all the Right,
Title, Interest, Claim, and Equity of the said Company of
Proprietors, or of any Person or Persons claiming from or
through them: And whereas it would be expedient and advan-
tageous if the Commissioners of the *Caledonian* Canal were
incorporated in Manner herein-after mentioned: And whereas
it

So much of
recited
Acts of 43
& 44 G. 3.
as relates
to appoint-
ing Com-
missioners
null and
void.

New Com-
missioners
incorpo-
rated.

it appears to the said Commissioners of Her Majesty's Treasury to be essential that the *Crinan* Canal and Works connected therewith should be vested in the Commissioners of the *Caledonian* Canal, in order that both Navigations may be united under the same Management: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Acts of the Forty-third and Forty-fourth Years of the Reign of His said Majesty King *George* the Third as relates to the Appointment of Commissioners for the Purpose of carrying out the Provisions of the said Acts shall from and after the passing of this Act be null, void, and of no Effect, and the Commission itself shall cease to exist.

II. And be it enacted, That the Right Honourable the Speaker of the House of Commons for the Time being, the Chancellor of the Exchequer for the Time being, the Lord High Admiral for the Time being, or the senior of the Commissioners for executing the Office of Lord High Admiral for the Time being, the Vice President of the Board of Trade for the Time being, the Lord Advocate for the Time being, *William Gibson Craig* Esquire (so long as he shall be One of the Lords of Her Majesty's Treasury), *James Loch* Esquire, *Alexander Milne* Esquire, *Duncan Macneill* Esquire (or the Member for the County of *Argyll* for the Time being), *Neill Malcolm* Esquire, *Alexander Campbell* Esquire, *Edward Ellice* junior, Esquire, *James Murray Grant* Esquire, and *Evan Baillie* Esquire, and such other Person or Persons as shall or may be appointed as herein-after mentioned, shall be and are hereby united into One Body Politic and Corporate by the Name and Style of "The Commissioners of the *Caledonian* Canal," and by that Name shall have perpetual Succession, and a Common Seal, with Power to change, break, and make new the same as they shall judge expedient, and by that Name shall and may sue and be sued, and may acquire, hold, and enjoy and also acquire and dispose of Lands and Property, heritable and moveable, real and personal.

Power to
Her Ma-
jesty to
appoint
other Com-
missioners.

III. And be it enacted, That it shall be lawful for Her Majesty, Her Heirs and Successors, to nominate and appoint by Sign Manual such other Persons as She or They may think proper, but not exceeding Eight in the whole, to be Commissioners in addition to the Commissioners before named; and in case of a Vacancy or Vacancies by Death or Resignation of any One or more of the Commissioners, it shall be lawful for Her Majesty, Her Heirs and Successors, to nominate and appoint

appoint by Sign Manual such Person or Persons as She or They may think proper to supply such Vacancy or Vacancies, One of the Lords of Her Majesty's Treasury for the Time being always being One of the Commissioners.

IV. And be it enacted, That from and after the passing of this Act the said *Caledonian* Canal, and all Warehouses, Buildings, Wharfs, Reservoirs, Lands, Tenements, and Hereditaments connected therewith, and all Chattels, Moveable Property, and Effects thereto belonging, shall be and hereby are subject to the existing Debts, Liabilities, and Engagements, Contracts, Obligations, and Incumbrances, affecting the same, vested in the Commissioners, and the Commissioners shall have and be seised and possessed of and are hereby invested with such and the like Estates, Authorities, Powers, Abilities, Interests, Privileges, and Advantages, and shall be and are hereby made subject and liable to such and the like Rules, Conditions, Directions, Regulations, Limitations, Restrictions, and Control, as are mentioned, directed, given, granted, proscribed, and established in and by the said recited Acts of the Forty-third and of the Forty-fourth Years of the Reign of His said Majesty King *George* the Third, of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, and of the Third and Fourth Years of the Reign of Her present Majesty, to every Intent and Purpose whatsoever, with respect to the Commissioners of the *Caledonian* Canal before the passing of this Act; and the Commissioners shall have and be entitled unto the full Benefit and Advantage of and be subject to all and every the Clauses, Provisoos, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Matters, and Things contained in the said last-mentioned Acts (except such Parts thereof as are hereby varied and altered) in such and the same Manner and as fully and effectually, to all Intents and Purposes, as if all the said Clauses, Provisoos, Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Matters, and Things were herein repeated and re-enacted.

Caledonian Canal vested in the Commissioners.

V. And be it enacted, That from and after the passing of this Act the Tolls and Rates arising from the *Crinan* Canal, and also the Canal itself, and all the Estate, Right, Title, and Interest in and to the same, and all Quays, Houses, Lands, Privileges, Easements, and Appurtenances belonging or appertaining thereunto, shall be and become the Property of and the same are hereby transferred to and vested in the Commissioners, freed and discharged from all Rights, Equity, or Claim of the said Company of Proprietors of the *Crinan* Canal, or of any

Crinan Canal vested in the Commissioners.

any Person or Persons claiming through them, except as herein-after provided; and the Commissioners shall thenceforth have and enjoy all the Rights, Powers, and Authorities for levying, taking, altering, and managing the Tolls, Rates, and Duties leviable on the *Crinan* Canal, and all other Rights, Powers, and Authorities now or at any Time heretofore possessed or enjoyed by the said Company of Proprietors, and shall and may henceforth undertake and exercise the Management and Administration of the *Crinan* Canal, and of every thing connected therewith, in as full and ample a Manner as now appertains to them with regard to the *Caledonian* Canal under or by virtue of the said last-mentioned Acts and of this Act; and from and after the passing of this Act all Right of Management or Interference, and all Interest of any other Parties whatsoever, of or in the *Crinan* Canal, and the Works and Appurtenances thereof or belonging thereto, and the Tolls and Rates arising therefrom, shall to all Intents and Purposes, except as herein-after provided, cease and determine.

Crinan
Canal to
revert to
the Com-
pany on
the Debt
being paid.

VI. Provided always, and be it enacted, That if the said Company of Proprietors shall at any Time within Twenty Years from the passing of this Act pay or cause to be paid into Her Majesty's Treasury the said Sum of Seventy-four thousand four hundred Pounds, with legal Interest thereon, and also all such Sums of Money as the Commissioners shall have expended in improving and keeping in repair the *Crinan* Canal and Works connected therewith, over and above the Amount of the Tolls and Rates which shall in the meantime have been received from the said Canal, then and in such Case the Tolls and Rates arising from the said Canal, and also the said Canal itself, and all the Estate, Right, Title, and Interest in and to the same, and all Quays, Houses, Lands, Privileges, Easements, and Appurtenances belonging or appertaining thereunto, shall revert to and again become the Property of and be vested in the said Company of Proprietors, freed and discharged from all Claims on the Part of Her Majesty's Treasury, in as full and ample a Manner, to all Intents and Purposes, as if this Act had not been passed: Provided nevertheless, that all Agreements, Acts, and Things entered into, made, or done by the Commissioners from and after the passing of this Act, and until such Resumption of Possession by the said Company of Proprietors as aforesaid, shall be good, valid, and binding on all Parties, any thing herein-before contained to the contrary notwithstanding.

Interpre-
tation of
Act.

VII. And be it enacted, That in this Act the words "the Commissioners" shall mean the Commissioners of the *Caledonian* Canal hereby incorporated, unless there be something in the Subject or Context repugnant to such Construction.

VIII. And

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

CAP. LV.

An Act for consolidating the Offices of Paymasters of Exchequer Bills and Paymaster of Civil Services with the Office of Paymaster-General, and for making other Provisions in regard to the consolidated Offices.
—[14th August 1848.]

CAP. LVI.

An Act to repeal so much of an Act of the Third and Fourth Years of Her present Majesty, to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, as relates to the Use of the English Language in Instruments relating to the Legislative Council and Legislative Assembly of the Province of Canada.—[14th August 1848.]

CAP. LVII.

An Act to enable Her Majesty to exchange the Advowson of the Vicarage of Stoneleigh in the County of Warwick for the Advowsons of the Rectory of Yoxhall in the County of Stafford, and the Perpetual Curacy of Hunningham in the County of Warwick.—[14th August 1848.]

CAP. LVIII.

An Act to authorize for Ten Years, and to the End of the then next Session of Parliament, the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society.—[14th August 1848.]

CAP. LIX.

An Act for the more speedy Trial and Punishment of Juvenile Offenders in Ireland.—[14th August 1848.]

CAP. LX.

CAP. LX.

An Act to alter the Duties payable upon the Importation of Spirits or Strong Waters.—[14th August 1848.]

10 & 11
Vict. c. 23.

After the
passing of
this Act
the Duties
therein
named
shall be
levied in-
stead of
those pre-
viously
paid.

WHEREAS by an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to alter certain Duties of Customs*, certain Duties of Customs were imposed upon the Importation of Spirits or Strong Waters: And whereas it is expedient that so much of the said Act as imposes such Duties should be repealed, and that other Duties should be raised and levied in lieu thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Several Duties on Spirits and Strong Waters imposed by the said recited Act shall be and they are hereby repealed; and that from and after the passing of this Act, in lieu thereof, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the following Duties; that is to say, Spirits or Strong Waters for every Gallon of such Spirits or Strong Waters of any Strength not exceeding the Strength of Proof by *Sykes's Hydrometer*, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, that is to say, Spirits or Strong Waters the Produce of any *British Possession in America*, not being sweetened Spirits, or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer;

			<i>s.</i>	<i>d.</i>
If imported into	<i>England</i> ,	the Gallon,	-	8 2
—	<i>Scotland</i> ,	—	-	4 0
—	<i>Ireland</i> ,	—	-	3 0

Rum, the Produce of any *British Possession* within the Limits of the *East India Company's Charter*, not being sweetened Spirits, or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act of the Fourth Year of the Reign of Queen *Victoria*, Chapter Eight, have or shall have been fulfilled;

			<i>s.</i>	<i>d.</i>
If imported into	<i>England</i> ,	the Gallon,	-	8 2
—	<i>Scotland</i> ,	—	-	4 0
—	<i>Ireland</i> ,	—	-	3 0

Rum Shrub, however sweetened, the produce of and imported from such Possessions, in regard to which the Conditions
of

of the Act of the Fourth Year of the Reign of Queen *Victoria*, Chapter Eight, have or shall have been fulfilled, or the Produce of and imported from any *British Possession in America*;

		s.	d.
If Imported into	<i>England</i> , the Gallon,	-	8 2
—	<i>Scotland</i> , —	-	4 0
—	<i>Ireland</i> , —	-	3 0

II. And be it enacted, That the Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, and recovered, and allowed and applied or appropriated, under the Provisions of any Act or Acts now in force or hereafter to be made relating to the Customs.

Duties to be under the Management of the Commissioners of Customs.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. LXI.

An Act to effect an Exchange of Ecclesiastical Patronage between Her Majesty and the Earl of Leicester, and for the Severance and Consolidation of certain Benefices in the Diocese of Norwich, and for other Ecclesiastical Purposes.—[14th August 1848.]

CAP. LXII.

An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.—[14th August 1848.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, intituled *An Act to appoint Commissioners for carrying into execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, and continuing to His Majesty certain Duties on Personal Estates, Offices, and Pensions in England*: And whereas another Act was passed in the Ninth Year of the Reign of His said Majesty, intituled *An Act for rectifying Mistakes in the Names of the Land Tax Commissioners, and for appointing additional Commissioners, and indemnifying such Persons as have acted without due Authority in execution of the Acts therein recited*: And whereas another Act was passed in the Second and Third Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for appointing additional Commis-*

7 & 8 G. 4. c. 75.

9 G. 4. c. 38.

2 & 3 W. 4. c. 127.

sioners

House of Muir, Sir Alexander Charles Gibson Maitland Cliftonhall Baronet, John Marshall Curriehill Advocate, John Marshall younger Curriehill, Doctor Thomas Graham Weir Pollcross, Alexander Cochrane Ashkirk and Lenkfield.

For the Shire of Haddington.

Honourable James St Clair, John Richard Anderson Whitburgh, Andrew Tawse Nether Leaston, John Tawse younger Nether Leaston, John Wardrop Tawse younger Stobshiel, Thomas Griffies Dixon Woodcot, George More Kirkland, Robert Brown younger Gilston.

For the Shire of Berwick.

Honourable Francis Wemyss Charteris Douglas commonly called Lord Elcho, Honourable John Home Hume Cust commonly called Lord Alford, Honourable Sholto John Watson Douglas commonly called Lord Aberdour, Rear Admiral the Honourable Sir Anthony Maitland, Honourable William Scott, Honourable Francis Scott, Honourable James St Clair, Honourable Charles Alexander Home commonly called Lord Dunglas, Sir Hugh Hume Campbell Baronet Marchmont, Sir George Augustus Frederick Houston Boswall Baronet Blackadder, Sir John Hall Baronet Dunglas, Sir John Pringle Baronet Stitchell, Sir George Grant Suttie Baronet Balgone, Sir Samuel Stirling Baronet Glorat, Sir Thomas Buchan Hepburn Baronet Smeaton, Sir William Majoribanks Baronet Lees, Sir Charles Forbes Baronet New and Edinlassie, Sir George Warrender Baronet Lochend, Sir Samuel Brown Netherbyres, Sir John Buchan K.C.B. Reedyloch, Sir William Keir Grant K.M.J. Blackburn, Sir George Baillie Hamilton Rumbletonlaw, Captain Sir Thomas Maitland R.N., Alexander Allan Allanbank, Allan younger Allanbank, Joseph Allan Quixwood, Thomas Allan Slighhouses, John Allan younger Slighhouses, David Wardlaw Brown Longformacus, Charles Balfour Balgonie and Newton Don, Robert Brown Gilston, Robert Brown younger Gilston, George Baillie Jerviswoode, George Baillie younger Jerviswoode, Charles Baillie, Captain Robert Baillie, Captain John Baillie, George Buchan Kelloe, John Borthwick Crookston, Borthwick younger Crookston, George Bell Ninewar, Major David Brown Park, David Brown younger Park, James Maitland Balfour Whittingham, William Broomfield Old Greenlaw, Carlyle Bell Writer to the Signet, David Braidwood Fulfordlees, James Curle Evelaw, Alexander Curle younger Evelaw, Archibald Christie

Christie *Baberton*, James Auchinleek Cheyne *Oxendean*, James
 Carnegie *New Edrom*, John Smith Cunningham *Caprington*,
 William Dickson *Whitecross*, John Dickson *Peelwalls*, John
 Dunlop *Mayfield*, John Renton Dunlop *younger Mayfield*,
 George Alexander Dickson *Belchester*, John Dudgeon *Berry-
 bank*, George Dods *Baronside*, Anthony Dickson *Edrington*,
 David Dewar *Flemington*, James Dickson *Castlelaw*, Henry
 Home Drummond Blair *Drummond*, George Home Drum-
 mond *younger Blair Drummond*, James Erskine *Shielfield*,
Netherhunty Wood and Huntly, Adam Fairholm *Chappel*,
 Fairholm *Greenknow*, Forster *Whitsomhill*,
 George France *Silverwalls*, John Gott *Leeds*. James Greig
Eccles, George Greig *younger Eccles*, John M'Lean M'Kenzie
 Grieve *Hutton Hall*, James Gilfillan *Cawden Knows*, William
 Foreman Home *Wedderburn*, Billie and *Paxton*. William Hay
Dunse Castle, William James Hay *younger Dunse Castle*,
 Joseph Hume *Horndean*, Joseph Hume *younger Horndean*,
 James Haig *Bemersyde*, Robert Hay *Linplum*. William Waren
 Hay *Blackburn*, Lieutenant General James Home *Broomhouse*,
 Colonel John Home Home *Bassendean*, Abram Home *Guns-
 green*, George Home *younger Gunsgreen*, John Castell Hop-
 kins *Rowchester*, James William Hunter *Thurston*, William
 Home *Fairlaw*, William Hood *Sunnyside*, John Hood *Stone-
 ridge*, Hood *younger Stoneridge*, John Hunter *Stone-
 shiel*, William King Hunter *Pilmuir*, Henderson *Press*,
 Robert Home *Coldinghamlaw*. Richard Hewat *Birkhillside*,
 James Herriot *Herriotbank*, James Hall *younger Dunglas*,
 Matthew Dysart Hunter *Antonskill*. William Mitchell Innes
Ayton, Alexander Mitchell Innes *younger Ayton*, George
 Jeffreys *Sunwick*, James Kemp *Hallydown*, William Compton
 Lundi *Spittal*, Robert Logan *Burnhouses*, Abram Logan
younger Burnhouses, Captain George Logan *R.M. Edrom*,
 David Low *Whitsomlaws*, George Dick Lander *Huntlywood*,
 Edwin Sandys Lumsdain *Blanerne*, Sandys Lumsdain
younger Blanerne, Alexander Mitchell *Stow*, Stewart Majori-
 banks *London*, Patrick Murray *Swinton Quarter*, Doctor
 Alexander Monro, *Craiglochart*, Captain Alexander Monro
younger Craiglochart, Archibald Meikle *Flemington*, James
 Macbrain *Broadmeadows*, David Milne *Milne Graden*, Captain
 Alexander Milne *R.N.*, William M'Intyre *Templehall*, Robert
 Nisbet *Mersington*, Nisbet *younger Mersington*,
 Robert Nisbet *Lambden*, John Nisbet *Shawbraes*, William
 Ogilvie *Chesters*, James Jeffreys Oswald *Edrington Castle*,
 James Pringle *younger Stitchell*, Captain John Home Purves
Purveshall, Frederick Lewis Roy *Nenthorn*, Roy
younger Nenthorn, John Campbell Renton *Lamberton*, James
 Renton

Renton *Greystonelees*, Charles Riddell *Dryburgh*,
 Riddell *Camieston*, David Robertson *Ladykirk*,
 Robertson *younger Ladykirk*, John Spottiswoode, *Spottiswoode*,
 Captain Andrew Spottiswoode *younger Spottiswoode*, William
 Scott *Raeburn*, George Swinton *Swinton*, William Adair
 Somerville *Airhouse*, William Archibald Smail *Overmains*,
 Colonel George Spottiswoode *Gladswode*, Alexander Spittal
Justicehall, Peter Sheriff *Bastleridge*, Charles Francis Stuart
Raeburn, Henry Kerr Seymour *Handford*, Alexander Thomson
Whiterig, Alexander Thomson *Grueldykes*, Thomas Trotter
Dewar, Richard Trotter *Mortonhall*, John Trotter *Cattleshiel*,
 Robert Tait *Pirn*, Tait *younger Pirn*, George
 Taitt *Langrig*, George Turnbull *Abbey St Bathans*, John
 Turnbull *younger Abbey St Bathans*, Thomson
Overhowden, Thomas Tod *Drygrange*, John Tawse, John
 Wilkie *Foulden*, George Wilson *Georgefield*, William
 Weatherley *Monynut*, James Weatherley *younger Monynut*
 John Wilson *Curnlege*, Lieutenant Colonel John Warrender
Wellwood, *Foleyhills*, Captain James Wood *R.M. Nunlands*,
the Sheriff of Berwickshire, *the Sheriff Substitute of Berwick-*
shire, *the Chief Magistrate of the Royal Burgh of Lauder for*
the Time being.

For the Shire of Roxburgh.

The Honourable William Frederick Campbell *younger*
 Hartrigg, William Scott *younger Ancrum*, William Francis
 Augustus Elliot *younger Stobs and Wells*, Walter Francis
 Lockhart Scott *Abbotsford*, James Dickson *Chatto*, Archibald
 Dickson *the younger*, William Claude Elliott *younger Clifton*,
 William Keir *Whithaugh*, Robert Shortreed *younger Dunshill*,
Honourable John Chetwynd Talbot *Bonjedward*, John Grainger
residing at Harestanes, John Jardine *Thorlishope*, James
 Jardine *Larrieston*, John Oliver *Overton Bush*, James Mein
Hunthill, Andrew Whitelock Mein *Hunthill*, James Paton
younger Crailing, John Rutherford *Kelso*, Thomas Rutherford
Fairmington, Henry Rutherford *younger*, Ralph Nisbet *Main-*
house, Adam Patterson *Whitlaw*, Lieutenant General Alexander
 Duncan *Guttorinde*, Andrew Duncan *younger Guttorinde*,
 William Richardson Dickson *Alton*, William Turnbull *Merry-*
law, Charles Balfour *Newton Don.*

For the Shire of Selkirk.

Thomas Gibson *Trinlyknowe*, Thomas Gibson *younger*
 Trinlyknowe, John Staverl *Hoxoat*, *Honourable* Montolieu
 Fox

Fox Murray *commonly called the Master of Oliphant*, James Johnstone *younger of Alva*, Honourable William John Napier, *commonly called Master of Napier*.

For the Shire of Peebles.

John Ballantyne *Woodhouse*, George Robert Beresford *Macbiehill*, Anthony Nichol *Glenbreck and Riggs*, George Graham Bell *Hawkshaw*, Baillieu, *Glencaigo*, and *Tweedhopefoot*, Thomas Graham Bell *younger Hawkshaw*, Badlieu, *Glencaigo*, and *Tweedhopefoot*, Houston Mitchell *Palmood*, James Nasmyth *younger Posso*, Colin James Mackenzie *younger Portmore*, Alexander Balfour Kerr Williamson *Cardrona*, William Allan Woddrop *Garvaldfoot*, John Dickson *younger Kilbucho* and *Hartree*, James Tweedie *younger Quarter* and *Rachan*, Welsh *younger Earlsbaugh*.

For the Shire of Lanark.

Sir Thomas Montgomery Cunningham *Corsehill and Kirktonholm* Baronet, Sir John Maxwell *Pollack* Baronet, Sir Thomas Edward Colebrooke *Crawford* Baronet, Sir Archibald Islay Campbell *Succoth* Baronet, Windham Carmichael Anstruther *younger Anstruther* and Carmichael, Robert Sprout Crawford Aitchison Alexander *Airdrie house*, Stephen Anderson *Carfin*, John Robertson Aikman *Ross*, James William Baillie *younger Culterallers*, William Bertram *Nisbet*, David Carriek Robert Carriek *Buchanan, Drumpellier*, John George Chancellor *Shieldhill*, John Craig *Udstone*, William Craig *Burnbrae*, John Campbell *Possil*, James Dunlop *Clyde Ironworks*, William Smith Dixon *Mauldslie*, Mathew Dick *Meikle Earnock*, Andrew Galloway *Sandyhills*, William Henderson *Eddlewood*, William Wallace Hozier, *younger Newlands*, John Basil Hamilton Montgomery *Newton*, John Meek *Fortisset*, Henry Du Vernet Grosset Muirhead *Braidiesholm*, John Maxwell *Baillieston*, Hugh Mosman *younger Auchtyfardle*, William Gillespie Mitchell *Carwood*, John Marshall *Machan*, John Wardrope Muir *Greenhall*, John Marshall *Chapelton*, Henry MacCall *younger Daldowie*, John Mare Nisbet *Cairnhill*, Hugh Robertson *younger Garloch*, Alexander Rowand *younger Lenthouse*, James Thomas Rankin *younger Mairsbank*, David Robertson Souter *Lindsaylands*, John Wilson *Arden*, John Wilson *younger Arden*, William Edward Hope Vere *Blackwood*.

For

On Sugar or Molasses the Growth and Produce of any Foreign Country, and on all Sugar or Molasses not otherwise charged with Duty, the Duties following; (that is to say,)

	From and after 10 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851 to 5 July 1852 inclusive.	From and after 5 July 1852 to 5 July 1853 inclusive.	From and after 5 July 1853 to 5 July 1854 inclusive.	From and after 5 July 1854.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt.	1 6 8	1 4 8	1 2 8	1 0 8	0 19 4	0 17 4	0 13 4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal to Refined, for every Cwt.	1 1 7	0 19 10	0 18 1	0 16 4	0 15 2	0 14 0	0 11 8
Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Brown Clayed, and not equal to White Clayed, for every Cwt.	1 0 0	0 18 6	0 17 0	0 15 6	0 14 6	0 13 0	0 10 0
Muscovado, or any other Sugar, not being equal in Quality to Brown Clayed Sugar, for every Cwt.	0 18 6	0 17 0	0 15 6	0 14 0	0 13 0	0 12 0	0 10 0
Molasses, for every Cwt.	0 6 11	0 6 4	0 5 9	0 5 3	0 4 10	0 4 6	0 3 9

And so in Proportion for any greater or less Quantity than a Hundred Weight.

Bounties or Drawbacks upon the Exportation from the United Kingdom of the several Descriptions of Refined Sugar herein-after mentioned:

	From and after 10 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Upon Refined Sugar in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, or Sugar Candy, the Cwt.	0 16 4	0 15 0	0 13 9	0 12 6
Upon Bastard or Refined Sugar, broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded or crushed or broken, for every Cwt.	0 13 0	0 12 0	0 11 0	0 10 0

And so in Proportion for any greater or less Quantity than a Hundred Weight.

II. Provided

Her Majesty may, by Order in Council, allow Sugar and Molasses to be imported from British Possessions in the East Indies at the lower Rate of Duty when Importation of Foreign Sugar is prohibited.

Such Sugar and Molasses to be entered at the lower Rates of Duty, upon the Conditions on which Bengal Sugar was admissible under 6 & 7 W. 4. c. 26.

Collection of Duties to be under the Management of the Customs, under 8 & 9 Vict. c. 90. and 8 & 9 Vict. c. 92.

Commissioners of Customs

II. Provided always, and be it enacted, That if at any Time satisfactory Proof shall have been laid before Her Majesty in Council, that as respects any *British* Possession the Importation of Foreign Sugar has been prohibited, it shall and may be lawful for Her Majesty, and She is hereby empowered, from Time to Time, by any Order or Orders in Council, to declare that Sugar and Molasses the Growth or Produce of any such *British* Possession may be imported from thence into the United Kingdom, and entered at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Growth or Produce of *British* Possessions into which the Importation of Foreign Sugar is prohibited; and from and after the Publication of such Order, whilst the same shall continue in force, the Sugars and Molasses therein mentioned may be so imported and entered accordingly.

III. Provided always, and be it enacted, That any Sugars or Molasses the Produce of any *British* Possession within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is or shall be prohibited, which shall be entered for Home Use at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Produce of such Possessions, shall be entered in the same and the like Manner, and under the same or the like Conditions, in and under which Sugar the Growth of the Presidency of *Bengal* might be entered for Home Use, under the Provisions of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the granting to His Majesty, until the Fifth Day of July One thousand eight hundred and thirty-seven, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-six*, at the lower Rate of Duty therein mentioned.

IV. And be it enacted, That the several Duties, Bounties, and Allowances by this Act imposed and allowed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied or appropriated under the Provisions of an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for granting Duties of Customs*, and of another Act passed in the same Years, intituled *An Act to grant certain Bounties and Allowances of Customs*, and of any other Act or Acts in force relating to the Customs.

V. And be it enacted, That the Commissioners of Customs shall provide Samples of White Clayed Sugar, and of Sugar rendered

rendered by any Process equal in Quality to White Clayed Sugar, with reference to Colour, Grain, and Saccharine Matter, which Samples shall be deemed to be Standard Samples for the Purpose of comparing therewith such White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed Sugar, as from and after the passing of this Act may be entered for Home Consumption; and such Standard Samples shall from Time to Time be renewed whenever the said Commissioners may deem it expedient; and no Sugar shall, as regards the Payment of Duty, be deemed or taken to be White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, unless it shall, with reference to Colour, Grain, and Saccharine Matter, equal the Standard Samples so respectively provided by the said Commissioners.

to provide
Standard
Samples
of White
Clayed
Sugar.

None to
be deemed
such unless
it shall
equal
Standard
Samples.

VI. And be it enacted, That the Commissioners of Customs shall provide Samples of Brown Clayed Sugar, and of Sugar rendered by any Process equal in Quality to Brown Clayed Sugar, which Samples shall be deemed to be Standard Samples, for the Purpose of comparing therewith such Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Brown Clayed Sugar, as from and after the passing of this Act may be entered for Home Consumption; and such Standard Samples shall from Time to Time be renewed whenever the said Commissioners may deem it expedient; and no Sugar shall, as regards Payment of Duty, be deemed or taken to be Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Brown Clayed Sugar, unless it shall equal the Standard Samples so respectively provided by the said Commissioners.

Commis-
sioners of
Customs
to provide
Standard
Samples
of Brown
Clayed
Sugar.

None to
be deemed
such unless
it shall
equal
Standard
Samples.

VII. And be it enacted, That all Sugar or Molasses imported, but not entered, or which shall have been warehoused without payment of Duty on the first Importation thereof, and which shall be in Port or Warehouse at the respective Periods at which the Duties imposed by this Act shall become chargeable, shall be deemed and taken to be liable to the Duties so imposed by this Act; and the Rate or Rates of Duty chargeable by this Act upon Sugar or Molasses, from the Tenth Day of *July* One thousand eight hundred and forty-eight to the Fifth Day of *July* One thousand eight hundred and forty-nine, shall be deemed and taken to be applicable to Sugar or Molasses delivered for Home Consumption prior to the passing of this Act, and subsequently to the Tenth Day of *July* One thousand eight hundred and forty-eight.

Sugar or
Molasses
imported
or in Ware-
house to
be liable to
the Duties
imposed
by this Act.

VIII. And be it enacted, That every Order in Council to be

Orders in
Council to

be published in the Gazette.

Orders in Council may be revoked from Time to Time.

Copies of Orders in Council to be laid before Parliament.

Act may be amended, &c.

be made under the Authority of this Act shall, as soon as may be after the making thereof by Her Majesty in Council, be published in the *London Gazette*.

IX. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Council, from Time to Time to revoke or alter any Order in Council previously made under the Authority of this Act.

X. And be it enacted, That a Copy of every Order of Her Majesty in Council made under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after the issuing of the same, if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XCVIII.

An Act to amend the Law for the Trial of Election Petitions.—[4th September 1848.]

WHEREAS it is expedient to amend the Law for the Trial of Election Petitions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to amend the Law for the Trial of controverted Elections of Members to serve in Parliament*, shall be repealed, except as to any Act done or any Proceeding incident to any Election Petition presented under the said recited Act, all which Acts and Proceedings shall have effect, and shall, save as herein-after specially provided, be continued and completed as if this Act had not passed: Provided always, that this Enactment shall not revive an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Trial of controverted Elections or Returns of Members to serve in Parliament*, repealed by the said Act, nor shall it revive so much of an Act passed in the Forty-second Year of the Reign of King George the Third, intituled *An Act for regulating the Trial of controverted Elections or Returns of Members to serve in the United Parliament for Ireland*, nor so much of an Act passed in the Forty-seventh Year of the Reign of King George the Third, intituled *An Act to amend several Acts for regulating the Trial of controverted Elections or Returns of Members to serve in Parliament*, so far as the same relate

7 & 8 Vict. c. 103. repealed, except as to Acts done, &c.

Repeal of 7 & 8 Vict. c. 103. not to revive 9 G. 4. c. 22. and certain Parts of 42 G. 3. c. 106. and 47 G. 3. c. 14.

relate to Ireland, as requires the Parties appearing before any Select Committee to interchange before the said Committee Lists of the Votes and Names of Voters to which either of the Parties intends to object, and Statements in Writing respecting the Matters which either of the said Parties mean to insist upon, contend for, or to object to, or as provides that no Witness shall be called or examined to any thing not specified in such Lists or Statements, also repealed by the firstly-recited Act.

II. And be it enacted, That every Petition presented to the House of Commons within the Time from Time to Time limited by the House for receiving Election Petitions, and complaining of an undue Election or Return of a Member to serve in Parliament, or complaining that no Return has been made according to the Requisition of any Writ issued for the Election of a Member to serve in Parliament, or complaining of the special Matters contained in any such Return, and which Petition shall be subscribed by some Person who voted or had a Right to vote at the Election to which the same relates, or by some Person claiming to have had a Right to be returned or elected thereat, or alleging himself to have been a Candidate at the Election, shall be deemed an Election Petition.

*Reception of
Petitions.*

What shall
be deemed
Election
Petitions.

III. And be it enacted, That before any Election Petition shall be presented to the House a Recognizance shall be entered into by One, Two, Three, or Four Persons, as Sureties for the Person subscribing such Petition, for the Sum of One thousand Pounds, in One Sum, or in several Sums of not less than Two hundred and fifty Pounds each, for the Payment of all Costs and Expenses which under the Provisions herein-after contained shall become payable by the Person subscribing the Petition to any Witness summoned in his Behalf, or to the sitting Member or other the Party complained of in such Petition, or to any Party who may be admitted to defend such Petition, as herein-after provided.

Before
Petition
presented
Recogniz-
ances to be
entered in-
to.

IV. And be it enacted, That every Person who enters into any such Recognizance shall testify upon Oath in Writing to be sworn at the Time of entering into the said Recognizance, and before the same Person by whom his Recognizance is taken, that he is seised or possessed of Real or Personal Estate (or both) above what will satisfy his Debts, of the clear Value of the Sum for which he is bound by his said Recognizance; and every such Affidavit shall be annexed to the Recognizance.

Persons
entering
into Re-
cognizan-
ces to
make Af-
fidavits
of Suffi-
ciency.

V. And be it enacted, That in every such Recognizance shall be mentioned the Names and usual Places of Residence or Business of the Persons becoming Sureties as aforesaid, with such other Description of the Sureties as may be sufficient to identify them easily; and such Recognizance may be in the Form or to the Effect set forth in the Schedule to this Act,

Form of
Recogni-
zance, as
set forth
in Sche-
dule.

with

Reception of
Petitions.

with such Alteration as may be necessary to adapt such Form to the Circumstances of each Case.

Persons
signing
Election
Petition
may pay
Money
into the
Bank, in-
stead of
finding
Security.

VI. And be it enacted, That any Person by whom an Election Petition is signed may, instead of Procuring a Recognizance for the full Amount of the Sum herein-before required, pay into the Bank of *England*, to the Account of the Speaker and the Examiner of Recognizances, as Trustees for the like Purposes for which the Recognizance is herein-before required, any Amount of Money which he thinks fit, not being less than Two hundred and fifty Pounds; and in such Case the Person by whom the Petition is signed shall be required to find Sureties for so much only of the Sum of One thousand Pounds as the Sum paid into the Bank falls short of that Sum; and no Money shall be deemed for the Purposes of this Act to be paid into the Bank of *England*, until a Bank Receipt or Certificate for the same is procured, and delivered to the Examiner of Recognizances.

No Peti-
tion to be
received
unless en-
dorsed by
the Exa-
miner of
Recogni-
zances.

VII. And be it enacted, That no Election Petition shall be received unless at the Time it is presented to the House it be endorsed by a Certificate under the Hand of the Examiner of Recognizances, that the Recognizance herein-before required has been entered into and received by him, with the Affidavit thereunto annexed, and, if the Recognizance have not been taken for the whole Amount, that a Bank Receipt or Certificate for so much Money as the Recognizance falls short of One thousand Pounds has been delivered to him, as herein-before required.

How Pe-
titions may
be with-
drawn.

VIII. And be it enacted, That the Petitioner may, at any Time after the Presentation thereof, withdraw the same, upon giving Notice in Writing under his Hand, or under the Hand of his Agent, to the Speaker, and also to the sitting Member or his Agent, and also to any Party who may have been admitted to oppose the Prayer of such Petition, that it is not intended to proceed with the Petition; and in such Case the Petitioner shall be liable to the Payment of such Costs and Expenses as have been incurred by the sitting Member or other Party complained of in such Petition, and also by any Party admitted to oppose the Prayer of such Petition, to be taxed as herein-after provided.

Examiner of
Recogni-
zances.

Speaker to
appoint
Examiner
of Recogni-
zances.

In case of
Illness, &c.
of Exa-
miner of

IX. And be it enacted, That the Speaker of the House of Commons shall appoint a fit Person to be examiner of Recognizances; and every Person so appointed shall hold his Office during the Pleasure of the Speaker, and shall execute the Duties of his Office conformably to such Directions as he may from Time to Time receive from the Speaker.

X. And be it enacted, That in case of the Illness, temporary Disability, or unavoidable Absence of the Examiner of Recognizances, the Speaker may appoint a fit Person to perform the Duties

Duties of Examiner of Recognizances during such Illness, Disability, or Absence; and throughout this Act the Expression "Examiner of Recognizances" shall be deemed to include and apply to the Person so appointed, and for the Time being performing such Duties.

XI. And be it enacted, That every Recognizance herein-before required shall be entered into, and every Affidavit herein-before required shall be sworn, before the Examiner of Recognizances or a Justice of the Peace, and the said Examiner, and also every Justice of the Peace, is hereby empowered to take the same; and every such Recognizance and Affidavit taken before a Justice, being duly certified under the Hand of such Justice, shall be delivered to the Examiner of Recognizances.

XII. And be it enacted, That on or before the Day when any such Petition is presented to the House the Names and Descriptions of the Sureties, when there are Sureties, as set forth in the Recognizance, shall be entered in a Book to be kept by the Examiner of Recognizances in his Office; and the said Book, and also the Recognizance and Affidavits, and the Bank Receipt for any Money paid into the Bank of *England*, shall be open to the Inspection of all Parties concerned.

XIII. And be it enacted, That any sitting Member petitioned against, or any Electors petitioning and admitted Parties to defend the Election or Return, may object to any such Recognizance on the Ground that the same is invalid, or that the same was not duly entered into or received by the Examiner of Recognizances, with the Affidavit thereunto annexed as herein-before required, or on the Ground that the Sureties or any of them are insufficient, or that a Surety is dead, or that he cannot be found or ascertained from the Want of a sufficient Description in the Recognizance, or that a Person named in the Recognizance has not duly acknowledged the same; provided that the Ground of Objection shall be stated in Writing under the Hand of the objecting Party or his Agent, and shall be delivered to the Examiner of Recognizances, within Ten Days or not later than Twelve of the Clock at Noon of the Eleventh Day after the Presentation of the Petition, if the Surety objected to reside in *England*, or within Fourteen Days or not later than Twelve of the Clock at Noon of the Fifteenth Day after the Presentation of the Petition if the Surety objected to reside in *Scotland* or *Ireland*: Provided also, that if either such Eleventh or such Fifteenth Day happen to be a *Sunday*, *Good Friday*, or *Christmas Day*, it shall be sufficient if such Notice of Objection be delivered to the Examiner of Recognizances not later than Twelve of the Clock at Noon of the following Day.

XIV. And

Recognizances, Speaker to appoint a fit Person to perform the Duties.

Entering into Recognizances.

How Recognizances are to be entered into.

Names of Sureties, &c. to be kept in Office of Examiner of Recognizances, and to be open to Inspection. Recognizance may be objected to for Invalidity, or for Insufficiency of Sureties.

Entering into
Recogni-
zances.

Notice of
Objections
to be pub-
lished in
the Office
of the Exa-
miner, and
Copies may
be taken.

Examiner
of Recog-
nizances to
decide on
the Objec-
tions.

In case of
Death of a
Surety, the
Petitioner
may pay
the Money
into the
Bank.

Examiner
of Recog-
nizances to
report
whether or
not Recog-
nizances
are objec-
tionable.

XIV. And be it enacted, That as soon as any such Statement of Objection is received by the Examiner of Recognizances he shall put up an Acknowledgment thereof in some conspicuous part of his Office, and shall appoint a Day for hearing such Objections, not less than Three nor more than Five Days from the Day on which he received such Statement; and the Petitioner and his Agent shall be allowed to examine and take Copies of every such Objection.

XV. And be it enacted, That at the Time appointed the Examiner of Recognizances shall inquire into the alleged Objections, on the Grounds stated in the Notice of Objection, but not on any other Ground; and for the Purpose of such Inquiry the Examiner of Recognizances may examine upon Oath any Persons tendered by either Party for Examination by him, and may also receive in Evidence any Affidavit relating to the Matter in dispute before him, sworn before him, or before any Master of the High Court of Chancery or Justice of the Peace, each of whom is hereby authorized to take and certify such Affidavit; and the Examiner of Recognizances may, if he think fit, adjourn the said Inquiry from Time to Time until he decide on the Validity of such Objection, and he may, if he think fit, award Costs to be paid by either Party to the other, which Costs shall be taxed and recovered as herein-after provided for the Costs and Expenses of prosecuting or opposing Election Petitions; and the Decision of the Examiner of Recognizances shall be final and conclusive against all Parties.

XVI. And be it enacted, That if any Surety die, and his Death be stated as a Ground of Objection before the End of the Time allowed for objecting to Recognizances, the Petitioner may pay into the Bank of *England*, on the Account of the Speaker and the Examiner of Recognizances, the Sum for which the deceased Surety was bound; and upon the Delivery of a Bank Receipt for such Sum to the Examiner of Recognizances, within Three Days after the Day on which the Statement of such Objection was delivered to the Examiner of Recognizances, the Recognizances shall be deemed unobjectionable, if no other Ground of Objection thereto be stated within the Time before mentioned for stating Objections to Recognizances.

XVII. And be it enacted, That if the Examiner of Recognizances have received any Statement of Objection to the Recognizances to any such Election Petition, and have decided that such Recognizances are objectionable, he shall forthwith report to the Speaker that such Recognizances are objectionable; but if he shall have decided that such Recognizances are unobjectionable, or if he have not received any such Statement of Objection, then, as soon as the Time herein-before allowed for stating any such Objection has elapsed after the Presentation of
the

the Petition, or as soon thereafter as he has decided upon the Statement of Objection, the Examiner of Recognizances shall report to the Speaker that the Recognizances to such Petition are unobjectionable; and every such Report shall be final and conclusive to all Intents and Purposes; and he shall make out a List of all Election Petitions on which he has reported to the Speaker that the Recognizances are unobjectionable, in which List the Petitions shall be arranged in the Order in which they are so reported upon; and a Copy of such List shall be kept in the Office of the Examiner of Recognizances, and shall be open to the Inspection of all Parties concerned.

*Entering into
Recogni-
zances.*
—

XVIII. And be it enacted, That if at any Time before the Appointment of a Select Committee, as herein-after provided, to try any Election Petition, the Speaker of the House of Commons be informed, by a Certificate in Writing subscribed by Two of the Members of the said House, of the Death of any sitting Member whose Election or Return is complained of in such Petition, or of the Death of any Member returned upon a double Return whose Election or Return is complained of in such Petition, or that a Writ of Summons has been issued under the great Seal of *Great Britain* to summon any such Member to Parliament as a Peer of *Great Britain*, or if the House of Commons have resolved that the Seat of any such Member is by Law become vacant, or if the House be informed by a Declaration in Writing subscribed by any such Member, and delivered to the Speaker within Fourteen Days after the Day on which any such Petition was presented, that it is not the Intention of such Member to defend his Election or Return, in every such Case Notice thereof shall immediately be sent by the Speaker to the General Committee of Elections, and to the Members of the Chairmen's Panel, herein-after mentioned, and also to the Sheriff or other Returning Officer for the County, City, Borough, District of Burghs, Port or Place, to which such Petition relates; and such Sheriff or other Returning Officer shall cause a true Copy of such Notice to be affixed on or near the Door of the County Hall or Town Hall, or of the Parish Church, nearest to the Place where such Election has usually been held; and such Notice shall also be inserted, by Order of the Speaker, in One of the next Two *London Gazettes*, and shall be communicated by him to the House.

*Admission of
Parties to
defend.*
—

*Proceed-
ings when
the Seat
becomes
vacant, or
the sitting
Member
declines to
defend his
Return.*

XIX. And be it enacted, That at any Time within Fourteen Days after the Day on which any Election Petition was presented, or within Twenty-one Days after the Day on which any Notice was inserted in the Gazette, to the Effect that the Seat is vacant, or that the Member returned will not defend his Election or Return, or if either of the said Periods expire during

*Voters
may be-
come a
Party to
oppose the
Petition.*

*Admission of
Parties
to defend.*

during a Prorogation of Parliament, or during an Adjournment of the House of Commons for the *Easter* or *Christmas* Holidays, then, on or before the Second Day on which the House meets after such Prorogation or Adjournment, any Person who voted or had a Right to vote at the Election to which the Petition relates may petition the House of Commons, praying to be admitted as a Party to defend such Return, or to oppose the Prayer of such Petition; and such Person shall thereupon be admitted as a Party, together with the sitting Member, if he be then a Party against such Petition, or in the Room of such Member if he be not then a Party against the Petition; and every such Petition shall be referred by the House to the General Committee of Elections herein-after mentioned.

*Members
having
given No-
tice of
their In-
tention not
to defend,
not to ap-
pear as
Parties.*

XX. And be it enacted, That whenever the Member whose Election or Return is so complained of in such Petition has given Notice as aforesaid of his Intention not to defend the same, he shall not be afterwards allowed to appear or act as a Party against such Petition in any Proceedings thereupon, and he shall also be restrained from sitting in the House of Commons or voting on any Question until such Petition has been decided upon.

*Double
Return.*

*Provision
for Cases
of double
Return
where the
Member
complained
of declines
to defend his
Return.*

XXI. And be it enacted, That if in the Case of an Election Petition complaining of a double Return the Member whose Return is complained of in such Petition have given Notice as aforesaid that it is not his Intention to defend his Return, and if no Party, within the Period herein-before allowed for that Purpose, have been admitted to defend such Return, then, if there be no Election Petition complaining of the other Member returned on such double Return, it shall be lawful for the last-mentioned Member or other the Persons who subscribed the Petition complaining of such double Return to withdraw such Petition by Letter addressed to the Speaker; and thereupon the Order for referring such Petition to the General Committee of Elections shall be discharged, and the House shall give the necessary Directions for amending the said double Return, by taking off the File the Indenture by which the Person so declining to defend his Return was returned, or otherwise, as the Case may require.

*General
Committee.*

*At the Be-
ginning of
every Ses-
sion the
Speaker to
appoint a
General
Commit-
tee.*

XXII. And be it enacted, That in the first Session of every Parliament, on the Day after the last Day allowed by the House of Commons for receiving Election Petitions, and in every subsequent Session, as soon as convenient after the Commencement of the Session, the Speaker shall by Warrant under his Hand appoint Six Members of the House who are willing to serve, and against whose Return no Petition is then depending, and none of whom is a Petitioner complaining of any Election or Return, to be Members of a Committee to be called

called "The General Committee of Elections;" and every such Warrant shall be laid on the Table of the House, and, if not disapproved by the House in the course of the Three next Days on which the House meets for the Despatch of Business, shall take effect as an Appointment of such General Committee.

XXIII. And be it enacted, That if the House disapprove any such Warrant the Speaker shall, on or before the Third Day on which the House meets after such Disapproval, lay upon the Table of the House a new Warrant for the Appointment of Six Members, qualified as aforesaid, and so from Time to Time until Six Members have been appointed by a Warrant not disapproved by the House.

XXIV. And be it enacted, That the Disapproval of the Warrant may be either general in respect of the Constitution of the whole Committee, or special in respect of any Member named in the Warrant.

XXV. And be it enacted, That the Speaker may, if he think fit, name in the Second or any subsequent Warrant any of the Members named in any former Warrant whose Appointment has not been specially disapproved by the House as aforesaid.

XXVI. And be it enacted, That after the Appointment of the General Committee every Member appointed shall continue to be a Member of the Committee until the End of that Session of Parliament, or until he cease to be a Member of the House of Commons, or until he resign his Appointment (which he may do by Letter to the Speaker), or until the General Committee report that he is disabled by continued Illness from attending the Committee, or until the Committee be dissolved as herein-after provided.

XXVII. And be it enacted, That in every Case of Vacancy in the General Committee of Elections the Speaker, on the First Day on which the House meets after such Vacancy is known by him, shall make known the Vacancy to the House, and thereupon all Proceedings of the General Committee shall be suspended until the Vacancy is supplied as herein-after provided.

XXVIII. And be it enacted, That if the General Committee of Elections at any Time report to the House that, by reason of the continued Absence of more than Two of its Members, or by reason of irreconcilable Disagreement of Opinion, the said Committee is unable to proceed in the Discharge of its Duties, or if the House resolve that the General Committee of Elections be dissolved, the General Committee shall be thereby forthwith dissolved.

XXIX. And be it enacted, That every Appointment to supply a Vacancy in the General Committee, and every Re-appointment of the General Committee after the Dissolution thereof, shall be made by the Speaker by Warrant under his Hand,

General Committee.

If the House disapprove the first Appointment, a new Appointment to be made.

Disapproval may be general or special.

Members not disapproved by the House may be again named in the Warrant.

For what Time the Appointment shall be.

Vacancies in General Committee to be made known to the House, and Proceedings suspended.

General Committee may be dissolved in certain Cases.

How Vacancies shall be supplied, and Re-ap-

pointments
made.

Hand, laid upon the Table of the House on or before the Third Day on which the House meets after the Dissolution of the Committee or Notification of the Vacancy (as the Case may be); and the Warrant shall be subject to the Disapproval of the House in the like Manner as is herein-before provided in the Case of the first Warrant for the Appointment of the General Committee; and upon any Re-appointment of the General Committee the Speaker may, if he think fit, re-appoint any of the Members of the former Committee who are then willing and not disqualified to serve on it.

Speaker to
fix the
Time and
Place of
First
Meeting of
Committee.

General
Committee
to be
sworn.

Members
necessary
to enable
the Com-
mittee to
act.

XXX. And be it enacted, That the Speaker shall appoint the Time and Place of the First Meeting of the General Committee of Elections, and the Committee shall meet at the Time and Place so appointed; but no Member shall Act upon such Committee until he have been sworn at the Table of the House, by the Clerk, truly and faithfully to perform the Duties belonging to a Member of the said Committee, to the best of his Judgment and Ability, without Fear or Favour.

XXXI. And be it enacted, That no Business shall be transacted by the General Committee of Elections, unless at the least Four Members thereof be then present together; and no Appointment of a Select Committee by the General Committee, to be made as herein-after provided, shall be of force unless at the least Four Members then present of the General Committee agree in the Appointment.

Committee
to regulate
their own
Proceed-
ings.

XXXII. And be it enacted, That, subject to the Provisions of this Act, the General Committee shall make Regulations for the Order and Manner of conducting the Business to be transacted by them.

Clerk to
keep Min-
utes of
Proceed-
ings, to be
laid before
the House.

XXXIII. And be it enacted, That the General Committee shall be attended by One of the Committee Clerks of the House selected for that Purpose by the Clerk of the House, and such Committee Clerk shall make a Minute of all the Proceedings of the Committee, in such Form and Manner as shall be from Time to Time directed by the Committee, and a Copy of the Minutes so kept shall be laid from Time to Time before the House of Commons.

During
Suspension
of Pro-
ceedings
the
Speaker
may ad-
journ any
Business
before the
General
Commit-
tee.

XXXIV. And be it enacted, That if at the Time of the Dissolution or Suspension of the Proceedings of the General Committee of Elections there be any Business appointed to be transacted by such General Committee on any certain Day, the Speaker may adjourn the Transaction of such Business to such other Day as to him seems convenient.

XXXV. And be it enacted, That every Member more than Sixty Years old shall be wholly excused from serving on Election Committees, provided that on or before the reading over of the Names of such excused Members as herein-after men-
tioned,

tioned, or upon his afterwards becoming entitled to make such Claim, he claim to be excused, by declaring in his Place, or in Writing under his Hand delivered to the Clerk at the Table, that he is more than Sixty Years old; but no Member shall be so excused who does not claim to be excused before he is chosen to serve as herein-after provided.

Panels.

Members wholly excused from serving.

XXXVI. And be it enacted, That in the First Session of every Parliament, on the next Meeting of the House after the last Day allowed for receiving Election Petitions, and in every subsequent Session on the next Meeting of the House after the Speaker has laid on the Table his Warrant for the Appointment of the General Committee of Elections, the Clerk of the House shall read over the Names of all the Members who have so claimed to be excused.

Names of Members claiming to be excused to be called over.

XXXVII. And be it enacted, That every Member having Leave of Absence from the House shall be excused from serving on Election Committees during such Leave; and if any Member in his Place offer any other Excuse, either at the reading over of the said Names or at any other Time, the Substance of the Allegations shall be taken down by the Clerk, in order that the same may be afterwards entered on the Journals, and the Opinion of the House shall then be taken thereon; and if the House resolve that the said Member ought to be excused he shall be excused from serving on Election Committees for such Time as to the House seems fit, but no Member shall be so excused who does not claim to be excused before he is chosen to serve; and every Member who has served on One Election Committee, and who within seven Days after such Committee has made its final Report to the House notifies to the Clerk of the General Committee his Claim to be excused from so serving again, shall be excused during the Remainder of the Session, unless the House at any Time resolve, upon the Report of the General Committee, that the Number of Members who have not so served is insufficient; but no Member shall be deemed to have served on an Election Committee who on account of Inability or Accident has been excused from attending the same throughout.

Members temporarily excused from serving.

XXXVIII. And be it enacted, That every Member who is a Petitioner complaining of an undue Election or Return, or against whose Return a Petition is depending, shall be disqualified to serve on Election Committees during the Continuance of such Ground of Disqualification.

Members temporarily disqualified from serving.

XXXIX. And be it enacted, That the Clerk of the House of Commons shall make out an alphabetical List of all the Members, omitting the Names of such Members as have claimed to be wholly excused from serving on Election Committees as aforesaid; and the Clerk shall also distinguish in such List the

A corrected List, distinguishing the excused or disqualified.

fied Mem-
bers to be
printed,
and distri-
buted with
the Votes.

the Name of every Member for the Time being excused or disqualified, and shall also note in the List every Cause of such temporary Excuse or Disqualification, and the Duration thereof; and such List shall be printed, and distributed with the Votes of the House, and the Names of all the Members so omitted shall be also printed, and distributed with the Votes.

List may
be further
corrected
during
Three
Days.

XL. And be it enacted, That during Three Days next after the Day of the Distribution of such corrected List further Corrections may be made in such List by Leave of the Speaker, if it appear that any Name has been improperly left in or struck out of such List, or that there is any other Error in such List.

Selection
of Mem-
bers to
serve as
Chairmen
of Election
Commit-
tees.

XLI. And be it enacted, That the List so finally corrected shall be referred to the General Committee of Elections; and the General Committee shall thereupon select, in their Discretion, Six, Eight, Ten, or Twelve Members, whom they think duly qualified to serve as Chairmen of Election Committees; and the Members so selected shall be formed into a separate Panel, to be called the Chairmen's Panel, which shall be reported to the House; and while the Name of any Member is upon the Chairmen's Panel he shall not be liable or qualified to serve on an Election Committee otherwise than as Chairman; and every Member placed on the Chairmen's Panel shall be bound to continue upon it till the End of the Session, or until he sooner cease to be a Member of the House, or until, by Leave of the House, he be discharged from continuing upon the Chairmen's Panel: Provided always, that every Member of the Chairmen's Panel, who has served on One or more Election Committees, and who notifies to the Clerk of the General Committee of Elections his Claim to be discharged from continuing upon the Chairmen's Panel, shall be so discharged accordingly; and every such Member shall be excused from serving upon any Election Committee, either as Chairman or otherwise, during the Remainder of the Session; but no Member of the Chairmen's Panel shall be deemed to have served on an Election Committee who on account of Inability or Accident has been excused from attending the same throughout.

List to be
divided
into Five
Panels.

XLII. And be it enacted, That after the Chairmen's Panel has been so as aforesaid selected, the General Committee shall divide the Members then remaining on such List into Five Panels, in such Manner as to them seems most convenient, but so nevertheless that each Panel may contain as nearly as may be the same Number of Members, and they shall report to the House the Division so made by them; and the Clerk shall decide by Lot at the Table the Order of the Panels as settled by the General Committee, and shall distinguish each of them
by

by a Number denoting the Order in which they were drawn; and the Panels shall then be returned to the General Committee of Elections, and shall be the Panels from which Members shall be chosen to serve on Election Committees.

Panels.

XLIII. And be it enacted, That the General Committee of Elections shall correct the said Panels from Time to Time by striking out of them the Name of every Member who ceases to be a Member of the House, or who from Time to Time becomes entitled and claims as aforesaid to be wholly excused from serving on Election Committees, and by inserting in One of the Panels to be chosen by the General Committee, at their Discretion, the Name of every New Member of the House not entitled, and not having claimed as aforesaid to be wholly excused, and shall also from Time to Time distinguish in the Manner aforesaid in the said Panels the Names of the Members for the Time being excused or disqualified for any of the Reasons aforesaid; and the General Committee shall, as often as they think fit, report to the House the Panels as corrected; and as often as the General Committee reports the said Panels to the House they shall be printed, and distributed with the Votes.

General Committee to correct the Panels from Time to Time.

XLIV. And be it enacted, That when Leave of Absence for a limited Time has been granted by the House to any Member, the General Committee of Elections may transfer the Name of such Member from the Panel in which it has been placed to some other Panel subsequent in Rotation, if they think fit so to do, having regard to the Length of Time for which such Leave of Absence has been granted, and to the Number of Select Committees then about to be appointed.

Power to transfer to another Panel the Names of Members obtaining Leave of Absence.

XLV. And be it enacted, That whenever any Member of the Chairmen's Panel ceases to be a Member of the House, or is by Leave of the House discharged from continuing upon the Chairmen's Panel, or is so discharged by reason of service under the Provision herein-before contained, the General Committee shall forthwith select another Member to be placed upon the Chairmen's Panel in his Room; and in Case it at any Time appear to the General Committee that the Chairmen's Panel is too small, they may select Two, Four, or Six additional Members to place upon it, so nevertheless that the Chairmen's Panel shall not at any Time consist of more than Eighteen Members, without the Leave of the House first obtained.

For supplying Vacancies, and increasing the Chairmen's Panel.

XLVI. And be it enacted, That all Election Petitions received by the House shall be referred by the House to the General Committee of Elections, for the Purpose of choosing Select Committees, as herein-after provided, to try such Petitions;

Appointment of Select Committees.

Election Petitions to

be referred to the General Committee ;

who shall make out a List of the same.

Where Notice of Vacancy, or that the sitting Member declines to defend his Return, is received by the General Committee, Proceedings to be suspended.

Provision for Cases where more than One Petition.

Committees to be chosen for Petitions according

tions; and the Speaker shall communicate to the House and to the General Committee every Report by the Examiner of Recognizances to him concerning the Recognizances to any Election Petition; and in every Case in which any Election Petition is withdrawn, or the Examiner of Recognizances reports to the Speaker that the Recognizances are objectionable, the Order for referring such Petition to the General Committee of Elections shall be discharged, and no further Proceeding shall be had upon such Petition; and the General Committee shall make out a List of all Election Petitions in which the Examiner of Recognizances has reported to the Speaker that the Recognizances are unobjectionable, and in which the Proceedings are not suspended, in which List the Petitions shall be arranged in the Order in which they were so reported upon; and in every Case in which the Proceedings in any Petition inserted in such List are afterwards suspended the Petition shall be struck out of the List, and shall be again inserted at the Bottom of the List at the End of such Suspension of Proceedings.

XLVII. And be it enacted, That when Notice of the Death or Vacancy of the Seat of any Member petitioned against, or that it is not the Intention of such Member to defend his Election or Return, is given to the General Committee of Elections by the Speaker, as herein-before provided, the General Committee shall suspend their Proceedings in the Matter of the Petition referred to in such Notice, until Twenty-one Days after the Day on which Notice of such Death or Vacancy, or Intention not to defend, has been inserted in the Gazette, under the Provision herein-before contained, unless the Petition of some Person claiming to be admitted as a Party in the Room of such Member be sooner referred to them.

XLVIII. And be it enacted, That when more than One Election Petition relating to the same Election or Return are referred to the General Committee of Elections, they shall suspend their Proceedings in the Matter of all such Petitions until the Report of the Examiner of Recognizances upon each of such Petitions, or such of them as have not been withdrawn, is received by them; and upon Receipt of the last of such Reports they shall place such Petitions at the Bottom of the then List of Election Petitions, bracketed together, and such Petitions shall afterwards be dealt with as One Petition.

XLIX. And be it enacted, That the General Committee of Elections shall choose the Committees to try the Election Petitions standing in the said List of Petitions in the Order in which such Petitions stand in such List, and they shall from

from Time to Time determine how many Committees shall be chosen in each Week for trying such Petitions, and the Days on which they will meet for choosing such Committees, having regard to the Number of Select Committees which may then be sitting for the Trial of Election Petitions, and to the whole Number of such Committees then to be appointed, and they shall report to the House from Time to Time the Days appointed by them for choosing such Committees.

to their Order in the List.

L. And be it enacted, That if Parliament is prorogued after any Election Petition has been presented, but before the Appointment of a Select Committee to try such Petition, the General Committee of Elections appointed in the following Session shall, within Two Days after their first Meeting, in case the Sureties have been then reported unobjectionable, appoint a Day and Hour for selecting a Committee to try the Petition so standing over as aforesaid: Provided always, that if the Number of Petitions so standing over be so great that the Times for selecting Committees to try the whole thereof cannot, in the Judgment of the General Committee, be conveniently appointed within Two Days after their First Meeting, the said General Committee shall, within Two Days after their First Meeting, appoint the Times for selecting Committees to try so many of the said Petitions as the said General Committee deems convenient, and shall afterwards, from Time to Time, as soon as conveniently may be, appoint the Times for Selecting the Committees to try the Remainder of such Petitions.

Committees to be appointed for Petitions standing over on a Prorogation of Parliament.

LI. And be it enacted, That Notice of the Time and Place at which the Committee will be chosen to try any Election Petition shall be published with the Votes, not less than Fourteen Days before the Day on which such Committee is appointed to be chosen; and in case the Conduct of the Returning Officer is complained of, such Notice shall be sent to him through the Post, not less than Fourteen Days before the Day on which such Committee is appointed to be chosen; and every such Notice shall direct all Parties interested to attend the General Committee of Elections, by themselves or their Agents, at the Time and Place appointed for choosing the Select Committee; and if (after any such Notice has been published with the Votes, or sent to the Returning Officer as aforesaid) the Proceedings in the Matter of such Petition become suspended, Notice of such Suspension shall be immediately published with the Votes; and in case the Conduct of the Returning Officer is complained of, such Notice shall be sent to him through the Post.

Notice of Time, &c. when any Committee will be chosen shall be published with the Votes.

Notice of Suspension of Proceedings to be published and sent to Returning Officer by Post.

*Appointment
of Select
Committees.*

*Provision
for Cases
where the
sitting
Member
does not
defend, and
no Party
has been
admitted
to defend.*

LII. Provided always, and be it enacted, That if Notice of the Death or Vacancy of the Seat of any Member petitioned against, or that it is not the intention of such Member to defend his Election or Return, have been inserted in the Gazette, by Order of the Speaker, as herein-before provided, and no Party has been admitted to defend such Election or Return, then, if the Conduct of the Returning Officer is not complained of in such Petition, it shall not be necessary to insert such Petition at the Bottom of the then List of Petitions, but the General Committee of Elections shall meet for choosing the Select Committee to try such Petition as soon as conveniently may be after the Expiration of the Time allowed for Parties to come in to defend such Election or Return, and not less than One Day's Notice of the Time and Place appointed for choosing such Committee shall be given in the Votes; and in such Case it shall not be necessary to deliver to the Clerk of the General Committee of Elections a List of the Voters intended to be objected to, as herein-after is required in other Cases.

*General
Committee
empowered
to change
the Day for
choosing
Election
Committee.*

LIII. And be it enacted, That the General Committee of Elections may change the Day and Hour appointed by them for choosing a Select Committee to try any Election Petition, and appoint some subsequent Day and Hour for the same, if in their Judgment it be expedient so to do, giving Notice in the Votes of the Day and Hour so subsequently appointed; and in every Case in which any such Change is made by them they shall forthwith report the same to the House, with their Reasons for making such Change.

*Notice of
Petitions
and Panels.*

LIV. And be it enacted, That Notice shall be published with the Votes of the Petitions appointed for each Week, and of the Panel from which Committees will be chosen to try such Petitions, and each Panel shall serve for a Week, beginning with the Panel first drawn, and continuing by Rotation in the Order in which they were drawn, and not reckoning those Weeks in which no Select Committee is appointed to be chosen.

*Lists of
Voters in-
tended to
be objected
to shall
be deliver-
ed to the
Clerk of the
General
Committee.*

LV. And be it enacted, That the Parties complaining of or defending the Election or Return complained of in any Election Petition shall, except in the Case herein-before provided for, by themselves or their Agents, deliver in to the Clerk of the General Committee Lists of the Voters intended to be objected to, giving in the said Lists the several Heads of Objection, and distinguishing the same against the Names of the Voters excepted to, not later than Six of the Clock in the Afternoon on the Sixth Day next before the Day appointed for choosing the Committee to try the Petition complaining

plaining of such Election or Return ; and the said Clerk shall keep the Lists so delivered to him in his Office open to the Inspection of all Parties concerned.

*Appointment
of Select
Committees.*

LVI. And be it enacted, That the General Committee shall meet at the Time and Place appointed for choosing the Committee to try any Election Petition, and shall choose from the Panel in service Four Members, not being then excused or disqualified for any of the Causes aforesaid, and not specially disqualified for being appointed on the Committee to try such Petition for any of the following Causes ; (that is to say,) by reason of having voted at the Election, or by reason of being the Party on whose Behalf the Seat is claimed, or related to him or to the sitting Member by Kindred or Affinity in the First or Second Degree according to the Canon Law.

Committee
for trying
Petitions to
be chosen.

LVII. And be it enacted, That if at the least Four Members then present of the General Committee of Elections do not agree in choosing a Committee to try any Election Petition the General Committee shall adjourn the choosing of that Committee, and of the remaining Committees appointed to be chosen on the same Day, to the following Day, and the Parties shall be directed to attend on the following Day, or if such following Day happen during an Adjournment of the House, then on the Day to which the House stands adjourned, and so from Day to Day until all such Committees are chosen, or until the General Committee of Elections is dissolved, as herein-before provided ; and the General Committee shall not in any case proceed to choose a Committee to try an Election Petition until they have chosen a Committee to try every other Election Petition standing higher in the List aforesaid, the Order for referring which has not been then discharged, except in the Case where the Day originally appointed for choosing a Committee has been changed under the Provision herein-before contained.

In Case
General
Committee
do not
agree in
choosing a
Committee
to try the
Petition,
they shall
adjourn.

LVIII. And be it enacted, That on the Day appointed by the General Committee to choose an Election Committee the Members upon the Chairmen's Panel shall select One of such Members to act as the Chairman of such Election Committee, and when they have been informed by the General Committee that Four Members of such Election Committee have been chosen they shall communicate the Name of the Member so selected by them to the General Committee ; but no Member shall be so selected who would be disqualified from serving on such Committee if not upon the Chairmen's Panel: Provided always, that if, with reference to any Petition for trying which they are about to appoint a Chairman, the Members of the Chairmen's Panel receive Notice from the Speaker,

Chairman
to be cho-
sen by the
Members on
the Chair-
men's Pa-
nel, and his
Name com-
municated
to the Ge-
neral Com-
mittee.

*Appointment
of Select
Committees.*

Speaker, under the Provision herein-before contained, of the Death or Vacancy of the Seat of the Sitting Member petitioned against in such Petition, or that it is not his Intention to defend his Seat, they shall suspend their Proceedings with regard to the Appointment of a Chairman to try such Petition until the day appointed by the General Committee of Elections for selecting a Committee to try such Petition.

Members upon Chairmen's Panel to make Regulations.

LIX. And be it enacted, That the Members upon the Chairmen's Panel may from Time to Time make such Regulations as they find convenient for securing the Appointment or Selection of Chairmen of Election Committees, and for distributing the Duties of Chairmen among all of them.

When Committee chosen, the Parties to be called in to hear the Names read over.

LX. And be it enacted, That as soon as the General Committee of Elections has chosen Four Members of a Committee to try any Election Petition, and has received from the Members of the Chairmen's Panel the Name of a Chairman to serve on such Committee, the Parties in attendance shall be called in, and the Names of the Members so chosen and of the Chairman shall be read over to them.

General Committee to proceed in order with all the Petitions appointed for that Day.

LXI. And be it enacted, That after hearing the said Names the Parties present shall be directed to withdraw, and the General Committee may proceed to choose another Committee to try the next Petition appointed for that Day, and so on until all the Committees appointed to be chosen on that Day are chosen, or until the choosing of any Committee is adjourned as aforesaid; and after any such Adjournment the General Committee shall not transact any more business on that Day, except with regard to those Petitions for trying which Committees have been previously chosen.

Within a certain Time Parties may object to Members on account of Disqualification.

LXII. And be it enacted, That within One Half Hour at furthest from the Time when the Parties to any Election Petition have withdrawn, or if the Parties to any other Election Petition be then before the General Committee of Elections, then, after such other Parties have withdrawn, the Parties in attendance shall be again called before the General Committee in the same order in which they were directed to withdraw; and the Petitioners and sitting Member, or such Party as may have been admitted as aforesaid to defend the Return or Election, or their Agents, beginning on the Part of the Petitioners, may object to all or any of the Members chosen, or to the Chairman, as being then disqualified or excused for any of the Reasons aforesaid from serving on the Committee for the Trial of that Election Petition, but not for any other Reason.

If General Committee allow the Disqualifi-

LXIII. And be it enacted, That if at the least Four Members then present of the General Committee be satisfied that any Member so objected to is then disqualified or excused for any

any of the Reasons aforesaid, the Parties present shall be again directed to withdraw, and the General Committee shall proceed to choose from the same Panel another Committee to try that Petition; or if the Member to whom any such Objection is substantiated be the Chairman, they shall send back his Name to the Members on the Chairmen's Panel, and the Members on the Chairmen's Panel shall proceed to choose another Chairman to try that Petition, and shall communicate his Name to the General Committee, and so as often as the Case requires.

LXIV. And be it enacted, That in the Second or any following Committee the General Committee may, if they think fit, include any of the Members previously chosen by them to whom no Objection has been substantiated; and no Party shall be allowed to object to any Member included in the Second or any following Committee who was not objected to when included in the Committee first chosen to try that Petition.

LXV. And be it enacted, That when Four Members and a Chairman have been chosen, to none of whom any Objection has been substantiated, the Clerk of the General Committee of Elections shall give Notice thereof in Writing to each of the Members so chosen; and with every such Notice shall be sent a Notice of the general and special Grounds of Disqualification and Excuse from serving herein-before mentioned, and of the Time and Place when and where the General Committee will meet on the following Day; and Notice of the Time and Place of such Meeting shall be published with the Votes.

LXVI. And be it enacted, That the General Committee shall meet on the following Day at the Time and Place mentioned in such Notice as last aforesaid; and if any such Member then and there prove, to the Satisfaction of at least Four Members then present of the General Committee, that for any of the Reasons aforesaid he is disqualified or excused from serving on the Committee for which he has been so chosen, or if any such Member prove to the Satisfaction of at least Four Members then present of the General Committee, that there are any Circumstances in his Case which render him ineligible to serve on such Select Committee, such Circumstances having regard, not to his own Convenience, but solely to the impartial Character of the Tribunal, the General Committee shall proceed to choose a new Committee to try that Petition, in like Manner as if that Member had been objected to by any Party to the Petition: and if within the Space of One Quarter of an Hour after the Time mentioned in the Notice no Member so appear, or if any Member so appearing do not prove his Disqualification or Excuse, to the Satisfaction of at least Four Members then present of the General Committee,

cation, a new Committee to be chosen.

In the new Committee Members not before objected to may be included.

When Committee chosen, Notice to be sent to every Member thereof.

If any Member chosen proves a Disqualification, another Committee to be chosen.

*Appointment
of Select
Committees.*

Committee, the Select Committee shall be taken to be appointed.

*Select
Committee
to be re-
ported to
the House.*

LXVII. And be it enacted, That at the Meeting of the House of Commons for the Despatch of Business next after any such Select Committee has been appointed the General Committee of Elections shall report to the House the Names of the Select Committee appointed, and shall annex to such Report all Petitions referred to them by the House which relate to the Return or Election of which such Select Committee is appointed to try the Merits, and all Lists of Voters which shall have been delivered to them by either Party, and such Report shall be published with the Votes.

*Members
of Select
Committee
to be
sworn.*

LXVIII. And be it enacted, That at or before Four of the Clock on the next Day on which the House meets for the Despatch of Business after such Report the Five Members chosen to be the Select Committee shall attend in their Places, and shall before departing the House be sworn at the Table by the Clerk well and truly to try the Matter of the Petitions referred to them, and a true Judgment to give according to the Evidence, and shall be taken to be a Select Committee legally appointed to try and determine the Merits of the Return or Election so referred to them by the House, and the Legality of such Appointment shall not be called in question on any Ground whatever; and the Member so appointed from the Chairmen's Panel shall be the Chairman of such Committee; and they shall not depart the House until the Time for the meeting of such Committee is fixed by the House, as herein-after provided.

*Members
of Commit-
tee not
present
within One
Hour after
Four
o'Clock to
be taken
into Cust-
ody by the
Serjeant at
Arms.*

LXIX. And be it enacted, That if any Member of the said Select Committee do not attend in his Place within One Hour after Four of the Clock on the Day appointed for swearing the said Committee (provided the House sits so long, or if not, then within the like Time on the following Day of sitting), or if, after attending, any Member depart the House before the said Committee is sworn, unless the Committee be discharged, or the swearing of the said Committee be adjourned, as herein-after provided, he shall be ordered to be taken into the Custody of the Serjeant at Arms attending the House, for such Neglect of his Duty, and shall be otherwise punished or censured, at the Discretion of the House, unless it appear to the House, by Facts specially stated, and verified upon Oath, that such Member was by a sudden Accident or by Necessity prevented from attending the House.

*If any such
Member is
not present
within*

LXX. And be it enacted, That if any such absent Member be not brought into the House within Three Hours after Four of the Clock on the Day first appointed for swearing the said Committee

Committee (provided the House sits so long, or if not, then within the like time on the following Day of sitting), and if no sufficient Cause be shown to the House before its rising whereon the House dispenses with the Attendance of such absent Member, the swearing of the Committee shall be adjourned to the next Meeting of the House; and all the Members of the said Committee shall be bound to attend in their Places, for the Purpose of being sworn, on the Day of the next Meeting of the House, in like Manner as on the Day first appointed for that Purpose.

Three
Hours
after Four
o'Clock
the Pro-
ceedings to
be ad-
journed.

LXXI. And be it enacted, That if on the Day to which the swearing of the said Committee is so adjourned all the Members of the Committee do not attend, and be sworn, within One Hour after Four of the Clock (provided the House sits so long, or if not, then within the like Time of the following Day of sitting,) or if on the Day first appointed for swearing the said Committee sufficient Cause be shown to the House before its rising why the Attendance of any Member of the Committee should be dispensed with, the said Committee shall be taken to be discharged; and the General Committee shall meet on the following Day, or if such following Day happen during an Adjournment of the House, then on the Day to which the House stands adjourned, and shall proceed to choose a new Committee from the Panel on Service for the Time being, in the Manner herein-before provided, and Notice of such Meeting shall be published with the Votes.

If all the
Members
do not at-
tend after
Adjourn-
ment, the
Committee
to be dis-
charged.

LXXII. And be it enacted, That the House shall refer the Petitions and Lists annexed to the Report of the General Committee of Elections to the Select Committee so appointed and sworn, and shall order the said select Committee to meet at a certain Time to be fixed by the House, which shall be within Twenty-four Hours of their being sworn at the Table of the House, unless a *Sunday, Christmas Day, or Good Friday* intervene; and the Place of their meeting shall be some convenient Room or Place adjacent to the House of Commons, properly prepared for that Purpose.

*Proceedings
of Election
Committees.*

—
Petitions
and Lists
to be re-
ferred to
the Elec-
tion Com-
mittee, and
Time and
Place of
meeting
appointed
by the
House.

LXXIII. And be it enacted, That every such Select Committee shall meet at the Time and Place appointed for that Purpose, and shall proceed to try the Merits of the Election Petition so referred to them, and they shall sit from Day to Day, *Sunday, Christmas Day, and Good Friday* only excepted, and shall never adjourn for a longer Time than Twenty-four Hours, unless a *Sunday, Christmas Day, or Good Friday* intervene, and in such Case not for more than Twenty-four Hours, exclusive of such *Sunday, Christmas Day, or Good Friday*, without Leave first obtained from the House, upon Motion, and special

Commit-
tees not to
adjourn for
more than
24 Hours
without
Leave of
the House.

*Proceedings
of Election
Committees.*

special Cause assigned for a longer Adjournment ; and if the House be sitting at the Time to which such Select Committee is adjourned, then the Business of the House shall be stayed, and a motion shall be made for a further Adjournment for any Time to be fixed by the House : Provided always, that if such Select Committee have occasion to apply or report to the House, and the House be then adjourned for more than Twenty-four Hours, such Select Committee may also adjourn to the Day appointed for the meeting of the House.

Evidence
to be con-
fined to
Objections
specified in
the Lists.

LXXIV. And be it enacted, That no Evidence shall be given before the Select Committee, or before any Commission issued by such Committee, against the Validity of any Vote not included in One of the Lists of Voters delivered to the General Committee as aforesaid, or upon any Head of Objection to any Voter included in any such List other than One of the Heads specified against him in such List.

No Mem-
ber of Com-
mittee to
absent
himself.

LXXV. And be it enacted, That no Member of any such Select Committee shall absent himself from the same without Leave obtained from the House, or an Excuse allowed by the House at the next Sitting thereof, for the Cause of Sickness, verified upon the Oath of his Medical Attendant, or for other special Cause shown and verified upon Oath : and in every such Case the Member to whom such Leave is granted or Excuse allowed shall be discharged from attending, and shall not be entitled again to sit or vote on such Committee ; and such Select Committee shall never sit until all the Members to whom such Leave has not been granted, nor Excuse allowed, are met ; and in case all such Members do not meet within One Hour after the Time appointed for the First Meeting of such Committee, or within One Hour after the Time to which such Committee has been adjourned, a further Adjournment shall be made, and reported to the House by their Chairman, with the Cause thereof.

Commit-
tee not to
sit until all
be met.

On failure
of all meet-
ing within
One Hour,
to adjourn.

Absentees
to be di-
rected to
attend the
House.

LXXVI. And be it enacted, That every Member whose Absence without Leave or Excuse is so reported shall be directed to attend the House at its next Sitting, and shall then be ordered to be taken into the Custody of the Serjeant at Arms attending the House, for such Neglect of his Duty, and shall be otherwise punished or censured, at the Discretion of the House, unless it appear to the House, by Facts specially stated, and verified upon Oath, that such Member was by a sudden Accident or by Necessity prevented from attending the said Select Committee.

Commit-
tee not to
be dis-

LXXVII. And be it enacted, That an Election Committee shall not be dissolved by reason of the Death or necessary Absence of One Member or Two Members thereof only, but the
remaining

remaining Members shall thenceforward constitute the Committee; and if there ever be occasion for electing a new Chairman on the Death or necessary Absence of the Chairman first appointed, the remaining Members of the Committee shall elect One of themselves to be Chairman, and if in that Election there be an equal Number of Voices the Member whose Name stands foremost in the List of the Committee as reported to the House shall have a second or casting Vote.

solved by the Death or Absence of not more than Two Members.

LXXVIII. And be it enacted, That if the Number of Members able to attend any such Select Committee be, by Death or otherwise, unavoidably reduced to less than Three, and so continue for the Space of Three sitting Days, such Select Committee shall be dissolved (except in the Case hereinafter provided,) and another shall be appointed to try the Petition referred to such Committee; and the General Committee and Members of the Chairmen's Panel shall meet for that Purpose as soon as conveniently may be after the Occasion arises, at a Day and Hour to be appointed by the General Committee, and Notice of such Meeting shall be published with the Votes; and all the Proceedings of such former Committee shall be void and of no Effect: Provided always, that, if all the Parties before the Committee consent thereto, the Two remaining Members of the Committee, or the sole remaining Member, if only One, shall continue to act, and shall thenceforward constitute the Committee.

Committee reduced to less than Three by the Non-attendance of its Members to be dissolved, unless by Consent.

LXXIX. And be it enacted, That whenever any such Select Committee thinks it necessary to deliberate among themselves upon any Question arising in the course of the Trial, or upon the Determination thereof, or upon any Resolution concerning the Matter of the Petition referred to them, as soon as they have heard the Evidence and Counsel on both Sides relative thereto, the Room where they sit shall be cleared, if they think proper, whilst the Members of the Committee consider thereof.

When Committee is deliberating, the Room to be cleared.

LXXX. And be it enacted, That all Questions before the Committee, if for the Time being consisting of more than One Member, shall be decided by a Majority of Voices; and whenever the Voices are equal the Chairman shall have a second or casting Voice; and no Member of the Committee shall be allowed to refrain from voting on any Question on which the Committee is divided.

Questions to be decided by a Majority.

LXXXI. And be it enacted, That whenever the Select Committee is divided upon any Question, the Names of the Members voting in the Affirmative and in the Negative shall be entered in the Minutes of the said Committee, and shall be reported to the House, with the Questions on which such Divisions

Names of Members voting for or against any Resolution to be reported

to the
House.

visions arose, at the same Time with the final Report of the Committee.

Commit-
tees to be
attended
by a Short-
hand
Writer.

LXXXII. And be it enacted, That every such Committee shall be attended by a Short-hand Writer, appointed by the Clerk of the House of Commons, and sworn by the Chairman faithfully and truly to take down the Evidence given before such Committee, and from Day to Day, as occasion requires, to write or cause the same to be written, in Words at Length for the Use of the Committee.

Committee
empower-
ed to send
for and ex-
amine Per-
sons, Pa-
pers, and
Records.

LXXXIII. And be it enacted, That every such Select Committee may send for Persons, Papers, and Records, and may examine any Person who has subscribed the Petition which such Select Committee are appointed to try, unless it otherwise appear to such Committee that such Person is an interested Witness, and they shall examine all the Witnesses who come before them upon Oath, which Oath the Clerk attending such Select Committee may administer; and if any Person summoned by such Select Committee, or by the Warrant of the Speaker of the House of Commons (which Warrants the Speaker may issue from Time to Time as he thinks fit), disobey such Summons, or if any Witness before such Select Committee give false Evidence or prevaricate, or otherwise misbehave in giving or refusing to give Evidence, the Chairman of such Select Committee, by their Direction, may at any Time during the course of their Proceedings report the same to the House for the Interposition of the Authority or Censure of the House, as the Case requires, and may, by a Warrant under his Hand directed to the Serjeant at Arms attending the House of Commons, or to his Deputy or Deputies, commit such Person (not being a Peer of the Realm or Lord of Parliament) to the Custody of the said Serjeant, without Bail or Mainprize, for any Time not exceeding Twenty-four Hours, if the House be then sitting, and if not, then for a Time not exceeding Twenty-four Hours after the Hour to which the House stands adjourned.

How Oaths
to be admi-
nistered.

LXXXIV. And be it enacted, That where in this Act anything is required to be verified on Oath to the House of Commons, it shall be lawful for the Clerk of the House of Commons to administer an Oath for that Purpose, or an Affidavit for such Purpose may be sworn before any Justice of the Peace or Master of the High Court of Chancery.

Giving
false Evi-
dence to be
Perjury.

LXXXV. And be it enacted, That every Person who wilfully gives false Evidence before the House of Commons, or before any Election Committee, or before the Examiner of Recognizances or Taxing Officer of the House of Commons, under the Provisions of this Act, or who wilfully swears falsely
in

in any Affidavit authorized by this Act to be taken, shall, on Conviction thereof, be liable to the Penalties of wilful and corrupt Perjury.

*Proceedings
of Election
Committees.*

LXXXVI. And be it enacted, That every such Select Committee shall try the Merits of the Return or Election complained of in the Election Petition referred to them, and shall determine by a Majority of Voices, if for the Time being consisting of more than One Member, whether the sitting Members, or either of them, or any and what other Person, were duly returned or elected, or whether the Election be void, or whether a new Writ ought to issue, which Determination shall be final between the Parties to all Intents and Purposes; and the House, on being informed thereof by the Committee, shall order such Report to be entered in their Journals, and shall give the necessary Directions for confirming or altering the Return, or for ordering a Return to be made, or for issuing a Writ for a new Election, or for carrying the said Determination into execution, as the Case may require.

Committee to decide, and to report their Decision to the House.

LXXXVII. And be it enacted, That if any such Select Committee come to any Resolution other than the Determination above mentioned, they shall, if they think proper, report the same to the House for their Opinion, at the same Time that they inform the House of such Determination, and the House may confirm or disagree with such Resolution, and make such Orders thereon as to them seems proper.

Committees may report their Determination on other Matters to the House.

LXXXVIII. And be it enacted, That if the Parliament be prorogued after the Appointment of any Select Committee for the Trial of any Election Petition, and before they have reported to the House their Determination thereon, such Committee shall not be dissolved by such Prorogation, but shall be thereby adjourned to Twelve of the Clock on the Day immediately following that on which Parliament meets again for the Despatch of Business (*Sunday, Good Friday, and Christmas Day* always excepted); and all Proceedings of such Committee, and of any Commission to take Evidence issued under the Authority of such Committee, shall be of the same Force and Effect as if Parliament had not been so prorogued; and such Committee shall meet on the Day and Hour to which it is so adjourned, and shall thenceforward continue to sit from Day to Day in the Manner herein-before provided, until they have reported to the House their Determination on the Merits of such Petition.

Committees not dissolved by the Prorogation of Parliament.

LXXXIX. And be it enacted, That whenever any Committee appointed to try an Election Petition reports to the House that such Petition was frivolous or vexatious, the Parties, if any, who have appeared before the Committee in opposition

Costs.

Costs where Petition re-

ported frivolous or vexatious.

opposition to such Petition, shall be entitled to recover from the Persons, or any of them, who signed such Petition, the full Costs and Expenses which such Parties have incurred in opposing the same, such Costs and Expenses to be ascertained in the Manner herein-after directed.

Costs where Opposition reported frivolous or vexations.

XC. And be it enacted, That whenever such Committee reports to the House that the Opposition made to any such Petition by any Party appearing before them was frivolous or vexatious, the Persons who signed such Petition shall be entitled to recover from the Party with respect to whom such Report is made the full Costs and Expenses which such Petitioners have incurred in prosecuting their Petition, such Costs and Expenses to be ascertained in the Manner herein-after directed.

Costs where no Party appears to oppose a Petition.

XCI. And be it enacted, That whenever no Party has appeared before any such Committee in opposition to such Petition, and such Committee reports to the House that the Election or Return, or the Omission or Insufficiency of a Return, complained of in such Petition, was vexatious or corrupt, the Persons who signed such Petition shall be entitled to recover from the sitting Members (if any) whose Election or Return is complained of in such Petition (such sitting Members not having given Notice as aforesaid of their Intention not to defend the same), or from any other Persons admitted by the House as aforesaid to oppose such Petition, the full Costs and Expenses which such Petitioners have incurred in prosecuting their Petition, such Costs and Expenses to be ascertained in the Manner herein-after directed.

Costs upon frivolous Objections to Voters.

XCII. And be it enacted, That if any Ground of Objection be stated against any Voter in any List of Voters intended to be objected to as herein-before provided, and if such Select Committee be of opinion that such Objection was frivolous or vexatious, they shall report the same to the House of Commons, together with their Opinion on the other Matters relating to the said Petition, and the Opposite Party shall in such Case be entitled to recover from the Party on whose Behalf any such Objections were made the full Costs and Expenses incurred by reason of such frivolous or vexatious Objections, such Costs and Expenses to be ascertained in the Manner herein-after directed.

Costs upon unfounded Allegations.

XCIII. And be it enacted, That if either Party make before the said Select Committee any specific Allegation with regard to the Conduct of the other Party or his Agents, and either bring no Evidence in Support thereof, or such Evidence that the Committee is of opinion that such Allegation was made without any reasonable or probable Ground, the Committee may make such Orders as to them seem fit for the Payment, by the Party making such unfounded Allegation, to the other Party,

Party, of all Costs and Expenses incurred by reason of such unfounded Allegation, such Cost and Expenses to be ascertained in the Manner herein-after directed.

Costs.

XCIV. And be it enacted, That the Costs and Expenses adjudged by any such Select Committee as aforesaid to be paid, or which otherwise may become payable, under the Provisions of this Act or the said recited Act of the Eighth Year of Her Majesty, to any Party prosecuting or opposing or preparing to oppose any Election Petition, or to any Witness summoned to attend before any Committee, under the Provisions of this or the said recited Act, shall be ascertained in Manner following; (that is to say,) on Application made to the Speaker of the House of Commons by any such Petitioner, Party, or Witness, for ascertaining such Costs and Expenses, not later than Three Calendar Months after the Determination of the Merits of such Petition, or after any Order of the House for discharging the Order of Reference of such Petition to the General Committee of Elections, or after the Withdrawal of any Petition as herein-before provided, the Speaker shall direct the same to be taxed by the Examiner of Recognizances or by the Taxing Officer of the House of Commons; and the said Examiner or Taxing Officer shall examine and tax such Costs and Expenses, and shall report the Amount thereof, together with the Name of the Party liable to pay the same, and the Name of the Party entitled to receive the same, to the Speaker, who shall, upon Application made to him, deliver to the Party a Certificate, signed by himself, expressing the Amount of the Costs and Expenses allowed in such Report, with the Name of the Party liable to pay the same, and the Name of the Party entitled to receive the same; and such Certificate so signed by the Speaker shall be conclusive Evidence for all Purposes whatever as well of the Amount of the Demand as of the Title of the Party therein named to recover the same from the Party therein stated to be liable to the Payment thereof; and the Party claiming under the same shall, upon Payment thereof, give a Receipt at the Foot of such Certificate, which shall be a sufficient discharge for the same.

Costs, how
to be ascer-
tained.

XCV. And be it enacted, That the Examiner of Recognizances or the said Taxing Officer may examine upon Oath any Party claiming any such Costs or Expenses, and any Witnesses tendered to him for Examination, and may receive Affidavits, sworn before him, or before any Master of the High Court of Chancery or any Justice of the Peace, relative to such Costs or Expenses.

Persons
appointed
to tax
Costs em-
powered to
examine
on Oath.

XCVI. And be it enacted, That the Party entitled to such taxed Costs and Expenses, or his or her Executors or Administrators, ed.

Recovery
of Costs
when tax-
ed.

Costs.

trators, may demand the whole Amount thereof, so certified as above, from any One or more of the Persons liable to the Payment thereof, and in case of Nonpayment thereof, on Demand, may recover the same by Action of Debt in any of Her Majesty's Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, in which Action it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to him in the Sum mentioned in the said Certificate; and the said Plaintiff shall, upon filing the said Declaration, together with the said Certificate and an Affidavit of such Demand as aforesaid, be at liberty to sign Judgment as for Want of Plea by Nil dicit, and take out Execution for the said Sum so mentioned in the said Certificate, together with the Costs of the said Action, according to due Course of Law: Provided always, that the Validity of such Certificate (the Handwriting of the Speaker thereunto being duly verified) shall not be called in question in any Court.

Persons
paying
Costs may
recover a
Proportion
from other
Persons
liable
thereto.

XCVII. And be it enacted, That in every Case it shall be lawful for any Person from whom the Amount of such Costs and Expenses have been so recovered to recover in like Manner from the other Persons, or any of them (if such there be) who are liable to the Payment of the same Costs and Expenses, a proportionate Share thereof, according to the Number of Persons so liable, and according to the Extent of the Liability of each Person.

Recogni-
zances
when to be
estreated,
&c.

XCVIII. And be it enacted, That if any Person having subscribed an Election Petition presented under this Act, or under the said recited Act of the Eighth Year of the Reign of Her Majesty, neglect or refuse, for the Space of Seven Days after Demand, to pay to any Witness summoned on his Behalf before any Committee under the Provisions of this or the said recited Act the Sum so certified as aforesaid by the Speaker, under the Authority of this or the said recited Act, to be due to such Witness, or if such Petitioner neglect or refuse, for the Space of Six Months after Demand, to pay to any Party opposing the said Petition the Sum so certified by the Speaker as aforesaid to be due to such Party for his Costs and Expenses, and if such Neglect or Refusal be, within One Year after the granting of such Certificate, proved to the Speaker's Satisfaction, by Affidavit sworn before any Master of the High Court of Chancery (and such Master is hereby authorized to administer such Oath, and is authorized and required to certify such Affidavit under his Hand), in every such Case every Person who has entered into a Recognizance relating to such Petition under the Provisions of this or the said recited Act shall be held to have made Default in his said Recognizance,

Recognizance, and the Speaker of the House of Commons shall thereupon certify such Recognizance into the Court of Exchequer in *England*, if the Person who entered into such Recognizance reside in *England*, or into the Court of Exchequer in *Ireland* if such Person reside in *Ireland*, or into the Court of Exchequer in *Scotland* if such Person reside in *Scotland*, and shall also certify that such Person has made Default therein, and such Certificate shall be conclusive Evidence of the Validity of such Recognizance and of such Default; and the Recognizance, being so certified, if the Person who entered into such Recognizance reside in *England*, shall be delivered by the Clerk or One of the Clerks Assistant of the House of Commons into the Hands of the Lord Chief Baron or One of the Barons of the Court of Exchequer in *England*, or of some Officer appointed by the Court to receive the same, or if such Person reside in *Ireland* or *Scotland* shall be transmitted through the Post, in manner herein-after mentioned, to the Chief Baron of the Court of Exchequer in *Ireland*, or to One of the Judges of the Court of Session discharging for the Time the Powers and Duties of the Court of Exchequer in *Scotland*, as the Case may require, and in every such Case such Delivery or Transmission of such Recognizance shall have the same Effect as if the same were estreated from a Court of Law, and the Validity of such Certificate (the Handwriting of the Speaker thereunto being duly verified) shall not be called in question in the said Court.

XCIX. And be it enacted, That for the Purpose of transmitting any such Recognizance through the Post as aforesaid the Clerk or One of the Clerks Assistant of the House of Commons, or some other Person appointed by the Speaker for that Purpose, shall carry such Recognizance under a Cover directed to the Lord Chief Baron or One of the Barons of the Court of Exchequer in *Ireland*, or to One of the Judges of the Court of Session discharging for the Time the Powers and Duties of the Court of Exchequer in *Scotland*, as the Case may require, to the General Post Office in *London*, and there deliver the same to the Postmaster General for the Time being, or to such other Person as the said Postmaster General shall depute to receive the same (and which Deputation such Postmaster General is required to make), who on Receipt thereof shall give an Acknowledgment in Writing of such Receipt to the Person from whom the same is received, and shall keep a Duplicate of such Acknowledgment signed by the Parties respectively to whom the same is so delivered; and the said Postmaster General shall despatch all such Recognizances by the first Post or Mail after the Receipt thereof to the Person

Costs.

Transmission of Recognizances of Parties in *Ireland* or *Scotland* through the Post.

Costs.

to whom the same is directed, accompanied with proper Directions to the Postmaster or Deputy Postmaster of the Town or Place to which the same is directed, requiring such Postmaster or Deputy Postmaster forthwith to carry such Recognizance, and to deliver the same to the Person to whom the same is directed, who (or some Officer appointed by the Court for that Purpose) is hereby required to give to such Postmaster or Deputy Postmaster a Memorandum in Writing under his Hand, acknowledging the Receipt of every such Recognizance, and setting forth the Day and Hour the same was delivered by such Postmaster or Deputy Postmaster, which Memorandum shall also be signed by such Postmaster or Deputy Postmaster, and by him transmitted by the First or Second Post afterwards to the said Postmaster General, or his Deputy, at the General Post Office in *London*.

Monies received under Recognizances to be paid into the Bank, and applied in Payment of Costs.

C. And be it enacted, That all Monies which shall be received or recovered by reason or in pursuance of the estreating of any such Recognizance as aforesaid shall, after deducting all Expenses incurred in respect thereof, be forthwith paid by the proper Officer for that Purpose into the Bank of *England*, to the Account of the Speaker and of the Examiner of Recognizances, and shall be applied by them, in manner herein-after mentioned, in satisfaction, so far as the same will extend, of the Costs and Expenses intended to be secured by such Recognizance.

Surety may pay Money into the Bank in discharge of his Recognizance.

CI. And be it enacted, That any Person who has entered into any such Recognizance may, before the same has been estreated, pay the Sum of Money for which he is bound by such Recognizance into the Bank of *England*, to the Account of the Speaker and the Examiner of Recognizances; and upon Production to the Examiner of Recognizances of a Bank Receipt or Certificate for the Sum so paid in, he shall endorse on the Recognizance in respect of which such Money has been so paid in a Memorandum of such Payment, and thereupon such Recognizance shall, so far as regards the Person by or on whose Behalf such Money has been so paid, be deemed to be vacated, and shall not afterwards be estreated as against him, but such Recognizance shall continue to be in force as regards any other Person who has entered into the same.

Where Money has been paid into the Bank, the Examiner of Recognizances to order Payment of

CII. And be it enacted, That in every Case in which any Money is paid into the Bank of *England* to the Account of the Speaker and the Examiner of Recognizances, as herein-before provided, a Bank Receipt or Certificate of the Amount so paid in shall be delivered to the Examiner of Recognizances by the Person paying in the same, and such Money shall, in the first place, and in such Order of Payment as the Examiner of Recognizances in his Discretion, but with the Approbation of the

the Speaker, thinks fit, be applied in satisfaction of all the Costs and Expenses for securing Payment of which such Investment was made, or so much thereof as can be thereby satisfied, and thereafter the Residue (if any) shall be paid to or transferred to the Account of the Party by whom or on whose Account the same was paid in.

Expenses, and transfer the Residue to the Account of the Party.

Miscellaneous.

CIII. And be it enacted, That if any Sheriff or other Returning Officer shall wilfully delay, neglect, or refuse duly to return any Person who ought to be returned to serve in Parliament for any County, City, Borough, District of Burghs, Port, or Place within *Great Britain* or *Ireland*, such Person may, in case it have been determined by a Select Committee appointed in the Manner herein-before directed that such Person was entitled to have been returned, sue the Sheriff or other Officer having so wilfully delayed, neglected, or refused duly to make such Return at his Election, in any of Her Majesty's Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall recover Double the Damages he has sustained by reason thereof, together with full Costs of Suit; provided such Action be commenced within One Year after the Commission of the Act on which it is grounded, or within Six Months after the Conclusion of any Proceedings in the House of Commons relating to such Election.

Returning Officer may be sued for neglecting to return any Person duly elected.

CIV. And be it enacted, That this Act shall commence and take Effect from the End of this Session of Parliament.

Commencement of Act.

CV. And be it enacted, That if at the Close of the present Session of Parliament there be any Election Petitions before the House, the Order for taking which into consideration has not been discharged, and for trying which no Committees have been appointed, such Election Petitions shall, in case the Sureties relating thereto have been reported unobjectionable, be tried by Committees to be chosen under the Provisions of this Act, and shall be referred to the General Committee of Elections before any Petition presented in the next Session; and the General Committee shall, within Two Days after their first Meeting, appoint a Day and Hour for selecting a Committee to try every such Petition; and if the present Parliament be prorogued after the Appointment of a Select Committee for the Trial of any such Petition as aforesaid, and before they have reported to the House their Determination thereon, such Committee shall not be dissolved by such Prorogation, but shall be adjourned in manner herein-before provided in the Case in which Parliament is prorogued after the Appointment of a Select Committee for the Trial of an Election Petition, and before they have reported to the House their Determination thereon; and in the Case of all such Petitions as aforesaid, all

Provision for Election Petitions remaining at the Close of the present Session.

such

Miscellaneous.

such further Proceedings shall be had with reference thereto as if this Act had been in force when such Petitions were presented; and the Recognizances entered into in respect of such Petitions shall be taken to be and remain in force, and shall take effect for securing Payment of all Costs and Expenses which the Petitioners shall be liable to pay, as if the same had been entered into under the Provisions of this Act.

No Stamps
on Recognizances or
Affidavits.

CVI. And be it declared and enacted, That no Recognizance entered into, or Affidavit sworn, under the Provisions of this Act, shall require to be impressed with any Stamp.

Short Title.

CVII. And be it enacted, That in citing this Act it shall be sufficient in all Cases to use the Expression "The Election Petitions Act, 1848."

Interpretation of Act.

CVIII. And be it enacted, That in construing this Act Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include the Singular, unless there be something in the Subject or the Context repugnant to such Construction; and the Words "Oath" and "Affidavit" respectively shall mean Affirmation in the Case of Quakers, or any Declaration lawfully substituted for an Oath in the Case of Persons allowed by Law to make a Declaration instead of taking an Oath.

Act may be amended,
&c.

CIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE.

BE it remembered, That on the _____ Day of _____
in the Year of our Lord 184____, before me A.B. Esquire [Examiner of Recognizances for the House of Commons, or One of Her Majesty's Justices of the Peace for the _____ of _____]
_____ came
and acknowledged himself [or severally acknowledged themselves] to owe to our Sovereign Lady the Queen the Sum of One thousand Pounds [or the following Sums, (that is to say,) the said _____ the Sum of _____ the said _____ the Sum of _____ the said _____ the Sum of _____ and the said _____ the Sum of _____],
to be levied on his [or their respective] Goods and Chattels, Lands and Tenements, to the Use of our said Sovereign Lady the Queen, Her Heirs and Successors.

The Condition of this Recognizance is, that if [here insert the

the Names of all the Petitioners, and, if more than One, add, or any of them] shall well and truly pay all Costs and Expenses in respect of the Election Petition signed by him [*or them*] relating to the [*here insert the Name of the Borough, City, or County,*] which shall become payable by the said Petitioner [*or Petitioners*] under the Election Petitions Act, 1848, to any Witness summoned in his [*or their*] Behalf, or to the sitting Member or other Party complained of in the said Petition, or to any Party who may be admitted to defend the same as provided by the said Act, then this Recognizance to be void, otherwise to be of full Force and Effect.

CAP. XCIX.

An Act to further extend the Provisions of the Act for the Inclosure and Improvement of Commons.
—[4th September 1848.] (England & Wales.)

CAP. C.

An Act to permit the Distillation of Spirits from Sugar, Molasses, and Treacle in the United Kingdom.—[4th September 1848.]

WHEREAS an Act was passed in the Tenth Year of the Reign of Her Majesty, intituled *An Act to further encourage the Distillation of Spirits from Sugar in the United Kingdom*; and in an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to grant certain Duties of Excise upon Spirits distilled from Corn or Grain in Scotland and Ireland, and upon Licences for Stills for making such Spirits, and to provide for the better collecting and securing such Duties, and for the Warehousing of such Spirits without Payment of Duty*, it is enacted, “that it shall not be lawful for any Distiller in Scotland or Ireland licensed under this Act to make or brew any Wort or Wash or to make or distil any Spirits from Sugar, or from any Materials other than Malt, Corn, or Grain, or any Mixture thereof; and if any such Distiller shall make or brew any Wort or Wash or shall make or distil any Spirits from Sugar, or from any Materials other than Malt, Corn, or Grain, or some Mixture thereof, such Distiller shall forfeit the Sum of Two hundred Pounds, and all such Wort, Wash, and Spirits shall be forfeited, and may be seized by any Officer of Excise;” and in another Act passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act to repeal the Duties payable*

10 & 11
Vict. c. 6.

4 G. 4. c.
94.

6 G. 4. c.
80.

payable in respect of Spirits distilled in England, and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof, and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the warehousing of such Spirits, without Payment of Duty, for Exportation, there are enacted the following Clauses, Provisions, and Regulations:

“That it shall not be lawful for any Distiller to make or brew
 “at the same Time any Wort or Wash or to make or distil
 “any Spirits from Malt, Corn, or Grain, or any Mixture
 “thereof, and from Sugar or Potatoes or any Mixture thereof
 “respectively, or to make or brew any Wort or Wash or distil
 “any Spirits from any other Materials whatsoever; and if any
 “such Distiller shall at the same Time make or brew any Wort
 “or Wash or shall make or distil any Spirits from Malt, Corn,
 “or Grain, or any Mixture thereof, and from Sugar or Potatoes
 “or any Mixture thereof respectively, or shall at any Time
 “make or brew any Wort or Wash or distil any Spirits from
 “any other Materials whatsoever, such Distiller shall forfeit
 “the Sum of Two Hundred Pounds, and all such Wort, Wash,
 “and Spirits shall be forfeited, and may be seized by any
 “Officer of Excise;” and further, “that every Distiller who
 “shall, under the Regulations of this Act, intend or desire to
 “distil Spirits from Worts or Wash brewed and made from
 “Sugar or Potatoes only, shall, Six Days before he shall com-
 “mence to brew or make any Wort or Wash, give Notice in
 “Writing to the proper Officer surveying such Distillery, in
 “which Notice shall be stated that such Distiller intends to use
 “Sugar or Potatoes only, not being mixed with any other
 “Materials whatever; and if at any Time after such Notice
 “shall have been given any Corn, Grain, or Malt, ground or
 “bruised, or other Material for Distillation except Sugar or
 “Potatoes, according to such Notice as aforesaid, shall be
 “found in such Distillery, or in any Store, Mill, or other
 “Premises thereto belonging, or if any Wort or Wash made
 “of any Materials save and except Sugar or Potatoes only,
 “as the Case may be, according to such Notice, shall be found
 “in the Distillery of such Distiller, or in any Store belonging
 “to such Distillery, then and in each and every such Case such
 “Distiller shall (except in the Case herein-after provided)
 “forfeit the Sum of Two hundred Pounds;” provided “that
 “if any Distiller who shall have given any such Notice of
 “using Sugar or Potatoes only as aforesaid shall intend to com-
 “mence or to recommence to use the other of them, or to use
 “Corn or Grain and Malt, at any Time when there shall not
 “be any Wort or Wash or Sugar or Potatoes respectively in
 “the

“ the Distillery of such Distiller, such Time being at least One
“ Calendar Month distant from the Time such Distiller began
“ to use Sugar or Potatoes only under any such Notice, it shall
“ be lawful for such Distiller, on giving Six Days previous
“ Notice to the proper Officer, so to commence or recommence
“ to use the other of them, or to use Corn or Grain and Malt,
“ and such Distiller shall not thereafter be liable to any such
“ Penalty aforesaid ; provided also, that if any Distiller using
“ Corn or Grain and Malt shall be desirous of commencing or
“ recommencing to use Sugar or Potatoes only as aforesaid,
“ at any Time when there shall not be any Wort or Wash,
“ or Malt, Corn, or Grain, in the Distillery of such Distiller,
“ such Time being at least One Calendar Month from the
“ Time such Distiller shall have commenced or recommenced
“ using Corn or Grain and Malt as aforesaid, it shall be lawful
“ for such Distiller, on giving Six Days Notice as aforesaid, so
“ to commence or recommence to use Sugar or Potatoes only ;”
and further, “ that from and after the Fifth Day of *January*
“ One thousand eight hundred and twenty-six it shall be lawful
“ for any Licensed Distiller in *Scotland* or *Ireland* to make or
“ brew any Wort or Wash and to make or distil Spirits from
“ Sugar only, or from Potatoes only, anything in any other
“ Act or Acts of Parliament to the contrary notwithstanding ;
“ provided always, that whenever Sugar or Potatoes are used
“ for that Purpose the same shall be done under the like Rules
“ and Regulations as are contained in a certain Act made in
“ the Fourth Year of the Reign of His present Majesty, for
“ granting certain Duties of Excise upon Spirits distilled
“ from Corn or Grain in *Scotland* and *Ireland*, and upon Li-
“ cences for Stills for making such Spirits, and to provide for
“ the better collecting and securing such Duties, and for the
“ warehousing of such Spirits without Payment of Duty, for
“ making or brewing Wort or Wash and making and distilling
“ Spirits from Malt only, unmixed with any unmalted Corn or
“ Grain, except that in the annual Account of every such
“ Distiller, so far as shall relate to Spirits made or distilled from
“ Sugar, he shall be chargeable and charged with Duty after
“ the Rate or Proportion of One Gallon of Proof Spirits for
“ every Four Degrees of the declared Gravity of the Worts
“ from which such Spirits were made or distilled :” And
whereas it is expedient to repeal the said Act of the Tenth Year
of the Reign aforesaid, and so much of the said Acts of the
Fourth and of the Sixth Years of the Reign aforesaid as are
before recited, and to permit the Distillation of Spirits from
Sugar, Molasses, and Treacle in the United Kingdom, under
the Regulations after mentioned : Be it therefore enacted by
the

Repeal of
first-re-
cited Act
and of
Part of
the two
last-re-
cited Acts.

Licensed
Distillers
may distil
from Sugar
only, or
from Potatoes
only, or
from Molasses
only, or
from Treacle,
or from
any of
these Materials
and Malt or
Grain
mixed.

Charge on
annual Account
when Sugar
only is
used, and
when Sugar
mixed
with Grain,
&c. is used
in the
brewing
the Worts.

the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Act of the Tenth Year of the Reign aforesaid, and so much of the said Acts of the Fourth and of the Sixth Years of the Reign aforesaid as are before recited, shall be and the same are hereby repealed, save and except as to any Allowance granted by the said Act of the Tenth Year aforesaid, and payable for or in respect of any Spirits distilled before the passing of this Act, and save and except as to any Penalty or Forfeiture before then incurred under the said Act of the Tenth Year aforesaid, or under any of the Clauses of the said Acts of the Fourth and of the Sixth Years aforesaid, before recited.

II. And be it enacted, That every Licensed Distiller in *England* may make or brew Worts or Wash and may distil Spirits from Sugar only, or from Potatoes only, or from Molasses only, or from the Extract or Preparation from Sugar or Molasses commonly known or called by the Name of Treacle, or from any Mixture of Sugar, Molasses, and Treacle, or of any Two of them, or from any Mixture of Sugar, Molasses, and Treacle, or any of them, and Malt or Grain, under the Provisions of this Act and of the said Act of the Sixth Year aforesaid (so far as the same is not hereby repealed), and under and subject to the Duties and Regulations, Penalties and Forfeitures, now by Law imposed for and in respect of Spirits distilled in *England*: and every Licensed Distiller in *Scotland* or *Ireland* may make or brew Worts or Wash and may distil Spirits from any of the Materials aforesaid, or from any Mixture of the Materials, as before specified, under the Provisions of this Act and of the said Act of the Fourth Year aforesaid (so far as the same is not hereby repealed), and under and subject to the respective Duties and Regulations, Penalties and Forfeitures, now by Law imposed for and in respect of Spirits distilled in *Scotland* and *Ireland* respectively.

III. Provided always, and be it enacted, That in the annual Account on which a Charge of Duty may be made on every such Distiller, by the said Acts of the Fourth and Sixth Years of the Reign of His said Majesty King *George* the Fourth, when the Spirits are distilled from Sugar only, he shall be chargeable and charged with Duty after the Rate or Proportion of One Gallon of Proof Spirits for and in respect of every One hundred Gallons of the Worts or Wash attenuated during the Period of such annual Account for every Four Degrees of the Gravity specified in the Notice or Notices given by such Distiller of the Gravity of the Worts intended to be made by him

him during such Period in his Distillery; and when the Spirits are distilled from Sugar and any Mixture of such Materials, as before specified, he shall be chargeable and charged with Duty after the Rate or Proportion aforesaid for and in respect of the Worts made from Sugar, and for and after the Rate or Proportion of One Gallon of Proof Spirits for and in respect of every One Hundred Gallons of the Worts or Wash attenuated during the Period of such annual Account for every Five Degrees of the Gravity specified in such Notice or Notices as aforesaid for and in respect of the Worts made from Grain, Molasses, and Treacle; and for the Purpose of ascertaining what Proportion of the whole Worts made during the Period comprised in such annual Account has been made from Sugar, and what from Grain, Molasses, and Treacle, it shall be calculated that the Quantity of Sugar necessary to make One Gallon of Worts at the Gravity specified in such Notice is the Quantity in Pounds Weight Avoirdupois of solid Extract *per* Imperial Gallon as indicated by the Saccharometer and such Tables as are approved of by the Commissioners of Excise for that Purpose, with Five *per Centum* added for Moisture and Impurities in the Sugar to such indicated Weight, and the total Number of Gallons of Worts made from Sugar shall be so calculated from the Quantity of Sugar removed from the Store-room in the Presence of the proper Officer to the Mash Tun, or other Vessel, as in this Act after mentioned, and actually used in brewing or making the Worts distilled during the Period of such annual Account, and such Quantity of Worts being deducted from the whole Quantity of Worts made during the Period comprised in such annual Account, the Residue shall be deemed and taken to have been made from Grain, Molasses, and Treacle.

IV. And be it enacted, That, except as provided by this Act, and by an Act of the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to permit the Distillation of Spirits from Mangel Wurzel*, it shall not be lawful for any Licensed Distiller in *England, Scotland, or Ireland*, to make or brew any Worts or Wash or to distil any Spirits from any other Materials whatsoever than Malt, Corn, or Grain, or some Mixture thereof; and if any Licensed Distiller in *England, Scotland, or Ireland* makes or brews any Worts or Wash or distils any Spirits otherwise than as aforesaid he shall incur the Penalty of Two hundred Pounds, and all such Materials, Worts, Wash, and Spirits shall be forfeited.

V. And be it enacted, That every Distiller who is desirous of distilling Spirits from Worts or Wash made or brewed from

Distiller not to distil from other Materials than Malt and Grain except as provided by this Act and 2 & 3 W. 4. c. 74.

Notice to be given by

the Dis-
tiller of his
Intention
to use
Sugar, &c.

any of the Materials as aforesaid, or from any Mixture of the Materials as before specified, under the Provisions of this Act, shall, Six Days before he commences to brew any such Worts or Wash, give Notice in Writing to the proper Officer surveying his Distillery of his Intention so to do, specifying in such Notice which of the particular Materials aforesaid, or what Mixture of the Materials, as before specified, he intends to use, and that the same are not mixed with any other Materials whatever; and if at any Time after such Notice has taken effect any other Materials for Distillation than according to such Notice are used in the Distillery of such Distiller, or are found in any Place in or about such Distillery, other than the Rooms or Places entered for keeping such Materials, then and in every such Case such Distiller shall incur the Penalty of Two hundred Pounds, and all Materials found contrary hereto shall be forfeited.

Distiller
may
change his
Materials
on Notice.

VI. Provided always, and be it enacted, That if any Distiller who has given any such Notice as aforesaid is desirous of commencing or recommencing to use any other of the Materials aforesaid, or any other of the Mixtures of Materials in this Act before specified, and other than as mentioned in the Notice by him before given, such Distiller may do so at any Time (such Time being at the Close of a distilling Period, and at least Seven Days distant from the Time when such Distiller began to use such Materials under the Notice last given by him,) on giving Six Days previous Notice in Writing to the proper Officer of his Intention so to do.

No Sugar
or Mo-
lasses to be
received by
Distillers
except
from the
Customs
Ware-
house, and
in same
State as
when
cleared on
Payment
of Duty,
the same
to be ac-
companied
with a Cer-
tificate
from the
proper
Officer of
Customs.

VII. And be it enacted, That no Distiller of Spirits using Sugar or Molasses for the Distillation of Spirits shall receive into his Custody or Possession any such Sugar or Molasses except from the Warehouse in which the same was warehoused under the Laws and Regulations of the Customs, and in the same State, and in the same Hogsheads, Puncheons, Casks, Bags, or Packages, with the same Marks and Numbers thereon, in which the same was cleared and delivered from such Warehouse on Payment of the Duty; and all such Sugar or Molasses shall be accompanied with a Certificate from the proper Officer of Customs, setting forth the Name of the Warehouse or Place from which the Sugar or Molasses is removed, and the Name of the Distillery and Distiller where and to whom the same is to be carried, and the Kind or Quality of such Sugar or Molasses, and the Number of Hogsheads, Puncheons, Casks, Bags, and Packages in which the same is contained, together with the Marks and Numbers thereon respectively, with the Tare and Net Weight of each, and the Amount and Rate of Duty paid on such Sugar or Molasses, together with the Date
of

of such Payment ; and every Distiller who receives into his Custody or Possession any Sugar or Molasses except as aforesaid, or without the same being accompanied with such Certificate as aforesaid, shall for every such Offence incur the Penalty of Two hundred Pounds, and all such Sugar or Molasses shall be forfeited.

VIII. And be it enacted, That no Distiller of Spirits using Treacle as aforesaid for the Distillation of Spirits shall receive into his Custody or Possession any such Treacle except from the Warehouse of the Sugar Refiner or Manufacturer of such Treacle from Sugar or Molasses, and in the same State, and in the same Hogsheads, Puncheons, or Casks, (none of them being less than of the Content of Fifty Gallons,) with the same Marks and Numbers thereon, in which the same was first prepared and packed in Warehouse ; and all such Treacle shall be accompanied with a Certificate from the Sugar Refiner or Manufacturer by whom the same was made or prepared, setting forth the Name of the Warehouse or Place where such Treacle was made and from which the same was removed, and the Name of the Distillery and Distiller where and to whom the same is to be carried, and the Number of Hogsheads, Puncheons, and Casks, not being less than aforesaid, in which the same is contained, together with the Marks and Numbers thereon respectively, with the Tare and Net Weight of each ; and every Distiller who receives into his Custody or Possession any Treacle except as aforesaid, or without the same being accompanied with such Certificate as aforesaid, shall for every such Offence incur the Penalty of Two hundred Pounds, and all such Treacle shall be forfeited.

IX. And be it enacted, That every Distiller intending to use Sugar or Molasses or Treacle, as aforesaid, in the Distillation of Spirits, shall provide and keep a separate and convenient and secure Storehouse or Room for each (if so required by the Commissioners of Excise) at his Distillery, which has sufficient Light, and is approved of by the Commissioners of Excise, for the Purpose of depositing, storing, and securing therein respectively the Sugar, Molasses, or Treacle received by him for the Distillation of Spirits, and every such Storehouse or Room, when so approved of, shall be specially entered by such Distiller for the Purpose aforesaid, and the proper Collector or Supervisor of the District shall provide and affix proper Locks and Fastenings thereto, at the Expense of such Distiller, who may, if he please, affix other Locks and Fastenings thereto, the Keys of which last-mentioned Locks he may keep ; and in such separate Storehouse or Room every such Distiller shall keep all Sugar, Molasses, or Treacle received by him as aforesaid,

No Treacle to be received by Distillers except from the Refiner or Manufacturer, and in the same State and Packages as when first packed, and unless accompanied with Certificate from the Refiner or Manufacturer.

Distiller using Sugar, Molasses, or Treacle to provide Storehouses at his Distillery, to be approved of, in which all Sugar, Molasses, or Treacle received by him shall be deposited, and secured under Lock of the proper Officer.

said, to be deposited therein in the Presence of an Officer of Excise, and on such Notice as after mentioned; and no such Sugar, Molasses, or Treacle shall be delivered or removed out of any such Storehouse or Room except in the Presence of an Officer of Excise, and on such Notice as after mentioned, and except for the Purpose of being conveyed immediately to the Mash Tun or to such other Vessel as with the Approbation of the Commissioners of Excise is entered for that Purpose, to be there immediately dissolved and used in the Manufacture of Spirits; and if any such Distiller refuses or neglects to provide and keep any such Storehouse or Room, or to make Entry thereof, as aforesaid, or refuses or neglects to pay for any Lock, Key, or Fastening for securing the same provided and fixed by such Collector or Supervisor as aforesaid, or obtains Admission or Entrance into any such Storehouse or Room, or has the Means of so doing, or deposits any Sugar, Molasses, or Treacle therein, or removes any Sugar, Molasses, or Treacle therefrom, except in the Presence of and upon due Notice to the proper Officer of Excise, and except for such Purpose as aforesaid, or does not deposit in a separate and secure Storehouse or Room as aforesaid all Sugar, Molasses, or Treacle received by him, every such Distiller shall for every such Offence incur the Penalty of Two hundred Pounds, and all Sugar, Molasses, and Treacle deposited or removed contrary hereto shall be forfeited.

X. And be it enacted, That every Distiller using Sugar, Molasses, or Treacle, as aforesaid, for the Distillation of Spirits, shall, before receiving any such Sugar, Molasses, or Treacle, give Twelve Hours previous Notice in Writing to the Officer surveying his Distillery of the Time of Arrival of such Sugar, Molasses, or Treacle; and every such Distiller shall, on the Attendance of the Officer on such Notice, produce to him all the Sugar, Molasses, or Treacle, as the same have been respectively received by him, in the same State, and in the same Hogsheads, Puncheons, Casks, Bags, or Packages, with the same Marks and Numbers thereon, as the same was cleared and delivered from the Customs Warehouse on Payment of Duty, if Sugar or Molasses, (or as the same was prepared and packed in the Warehouse of the Sugar Refiner or Manufacturer thereof if the same be Treacle,) and such Distiller shall at the same Time deliver up to such Officer the Certificate which accompanied such Sugar, Molasses, or Treacle, and, on being required by the Officer, such Distiller shall weigh or cause to be weighed and shall give the Officer all necessary Assistance in taking Account of all such Sugar, Molasses, and Treacle, in such Manner as the Commissioners of Excise may direct; and such Officer, after due Examination, and on being satisfied

No Sugar, &c. to be removed out of such Storehouse except in the Presence of an Officer of Excise.

Penalty.

Distiller to give Twelve Hours Notice of receiving Sugar, &c., and produce the same in the same State, with the Certificate, to be deposited in the Storehouse.

satisfied therewith, shall permit and suffer such Distiller to deposit the same in a separate locked-up Storehouse or Room, as before mentioned; and if any such Distiller receives any such Sugar, Molasses, or Treacle without having given such Notice, or fails to produce such Sugar, Molasses, or Treacle, or to deliver up such Certificate as aforesaid, or makes any Alteration in the Quantity or Quality of such Sugar, Molasses, or Treacle, or in the Hogsheads, Puncheons, Casks, Bags, or Packages containing the same, or in the Marks or Numbers thereon, from that which the same respectively were when such Sugar or Molasses was cleared and delivered from the Customs Warehouse, or when such Treacle was prepared and packed in the Warehouse of the Sugar Refiner or Manufacturer thereof, and before such Officer as aforesaid has seen such Sugar, Molasses, or Treacle weighed or taken account of and deposited as aforesaid, every such Distiller so offending shall incur the Penalty of Two hundred Pounds, and all such Sugar, Molasses, and Treacle shall be forfeited.

XI. And be it enacted, That when any Distiller using Sugar, Molasses, or Treacle as aforesaid, in the Distillation of Spirits, is desirous of taking or removing any Sugar, Molasses, or Treacle out of such Storehouse or Room as aforesaid, for the Purpose of the same being conveyed to the Mash Tun, or to such other Vessel as, with the Approbation of the Commissioners of Excise, is entered for that Purpose, to be there dissolved and used in the Manufacture of Spirits, such Distiller shall give Six Hours previous Notice in Writing to the Officer surveying the Distillery of the Time when and the Quantity of Sugar, Molasses, or Treacle which he is desirous of removing as aforesaid; and every such Officer receiving such Notice shall attend in pursuance thereof at the Time therein mentioned, and shall unlock the Storehouse or Room from which such Sugar, Molasses, or Treacle is to be removed, and shall see weighed out therefrom the Quantity of Sugar, Molasses, or Treacle expressed in such Notice, or such Part thereof as the Distiller may desire; and all such Sugar, Molasses, or Treacle shall be delivered from such Storehouse or Room in the original Package only; and all such Sugar, Molasses, or Treacle shall then be conveyed by the Distiller directly from such Storehouse or Room to the Mash Tun, or to such other Vessel as aforesaid in the Distillery of such Distiller, to be there dissolved and used in the Manufacture of Spirits, or shall forthwith be deposited again by such Distiller in such separate Storehouse or Room as aforesaid; under the Lock of the Officer, until the same is again removed on like Notice as aforesaid; and if any such Distiller

Six Hours
Notice be-
fore remov-
ing from
the Store-
house to
the Mash
Tun.

To be con-
veyed di-

rect from
the Store-
house to
the Mash
Tun, or re-
deposited.

Penalty
200*l*. and
forfeiture.

Officer to
keep Ac-
count of
Stock in
the Store-
house.

Distiller removing any Sugar, Molasses, or Treacle as aforesaid does not convey the same directly from the Storehouse or Room to the Mash Tun, or to such other Vessel as aforesaid, and there dissolve and use the same in the Manufacture of Spirits, or does not forthwith deposit the same again as aforesaid, or removes or disposes of the same otherwise than as aforesaid, every such Distiller so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds, and all Sugar, Molasses, and Treacle so removed, which are not conveyed, dissolved, and used, or again deposited as aforesaid, and all Sugar, Molasses, and Treacle which are found deposited in any other Place in the Distillery, or in any Premises adjoining thereto, except in the separate Storehouse or Room, or Mash Tun or such other Vessel as aforesaid, shall be forfeited.

XII. And be it enacted, That the proper Officer of Excise shall, in such Manner and at such Times as the Commissioners of Excise may direct, keep an Account, by way of Debtor and Creditor, of the Sugar, Molasses, or Treacle as aforesaid in Stock in each separate Storehouse or Room provided by every Distiller using Sugar, Molasses, or Treacle in the Distillation of Spirits as aforesaid, and shall in such Account credit such Stock with the full Quantity of Sugar, Molasses, or Treacle which is from Time to Time deposited in such Storehouse or Room as aforesaid, and shall debit such Stock with the full Quantity of Sugar, Molasses, or Treacle which is from Time to Time weighed by him and removed from such Storehouse or Room for the Purpose of the same being conveyed to the Mash Tun or to such other Vessel as with the Approbation of the Commissioners of Excise is entered for that Purpose, to be there dissolved and used in the Distillation of Spirits; and if at any Time, upon striking a Balance on such Account, the Quantity of Sugar, Molasses, or Treacle in such Storehouse or Room as aforesaid is found to exceed the Quantity which by the Stock Account kept by such Officer as aforesaid ought to be in such Storehouse or Room, every such Distiller shall be deemed and taken to have deposited Sugar, Molasses, or Treacle therein without the same having been deposited in the Presence of and upon due Notice to the proper Officer of Excise, and all such Excess of Sugar, Molasses, or Treacle shall be forfeited; and if the Quantity of Sugar, Molasses, or Treacle in such Storehouse or Room as aforesaid is found to be less than the Quantity which by the Stock Account kept by such Officer as aforesaid ought to have been in such Storehouse or Room, every such Distiller shall be deemed and taken to have removed Sugar, Molasses, or Treacle therefrom without the same having been removed in the Presence of and upon due Notice

Notice to the proper Officer of Excise; and every such Distiller shall, over and above all other Penalties, forfeit the Penalty of Twenty Pounds: Provided always, that such last-mentioned Penalty shall not be incurred if such Deficiency is proved to the Satisfaction of the Commissioners of Excise to have arisen from unavoidable Accident or Loss.

XIII. And be it enacted, That every Distiller using Sugar, Molasses, or Treacle as aforesaid in the Distillation of Spirits, and providing such Storehouses or Rooms as aforesaid, shall keep sufficient and just Scales and Weights therein respectively, and shall, when thereunto required by any Officer of Excise, arrange and place all Sugar, Molasses, or Treacle deposited in such Storehouse or Room so as to enable such Officer easily and conveniently to weigh and take an Account of the same; and such Distiller shall, by himself or his Servants, assist the Officer, as thereunto required, in weighing and taking an Account of all such Stock, and in weighing and taking an Account of all Sugar, Molasses, or Treacle received and deposited in each such Storehouse or Room as aforesaid, or removed therefrom for the Purpose of being conveyed to the Mash Tun or to such other Vessel as, with the Approbation of the Commissioners of Excise, is entered for that Purpose; and if any such Distiller keeps any false, unjust, or insufficient Scales and Weights, or by any Art, Device, or Contrivance prevents or impedes such Officer from taking a just and true Account of such Stock or Commodities as aforesaid, he shall incur the Penalties and Forfeitures now in that respect imposed by the Laws of Excise in such Case made and provided; and if any such Distiller does not arrange and place such Stock as aforesaid, or does not assist such Officer as aforesaid, he shall for each and every such last-mentioned Offence incur the Penalty of One hundred Pounds.

Distiller to provide Scales and Weights, and assist the Officer in weighing the Sugar, &c.

XIV. And for encouraging the Use of Sugar in the Distillation of Spirits, be it enacted, That every Distiller who, under the Regulations of this Act, distils Spirits from Worts or Wash brewed or made from Sugar only, or from Molasses only, or from any Mixture of these Materials and Treacle or Malt or Grain, shall at the Close of every brewing and distilling Period be entitled, under such Regulations, Provisoes, and Restrictions as after mentioned, to an Allowance at and after the Rate specified in Schedule (A.) to this Act annexed for and in respect of every One hundred and twelve Pounds Weight Avoirdupois of the Sugar actually used by him in the brewing or making of the Worts or Wash from which the Spirits were distilled during such Period, and to an Allowance at and after the Rate specified in Schedule (B.) to this Act annexed for and in respect of every

Allowance to Distiller on Spirits made from Worts or Wash in which Sugar or Molasses is used for every 112 lbs. Weight of the Sugar used according to Schedule (A.), and of the

One

SCHEDULES

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

	From the passing of the Act to 10th July 1849.	From 10th July 1849 to 10th July 1850.	From 10th July 1850 to 10th July 1851.	From and after 10th July 1851.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Allowances to be paid to Distillers for and in respect of Sugar used in the Distillation of Spirits; viz. For and in respect of every 112 lbs. of Sugar actually used in the brewing or making of the Worts or Wash,	0 11 10½	0 10 10½	0 9 10½	0 8 10½

SCHEDULE (B.)

	From the passing of the Act to 10th July 1849.	From 10th July 1849 to 10th July 1850.	From 10th July 1850 to 10th July 1851.	From and after 10th July 1851.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Allowances to be paid to Distillers for and in respect of Molasses used in the Distillation of Spirits; viz. For and in respect of every 112 lbs. of Molasses actually used in the brewing or making of the Worts or Wash,	0 4 1	0 3 9	0 3 5	0 3 0

CAP. CI.

An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties.
—[4th September 1848.] (England & Wales.)

CAP. CII.

An Act to enlarge the Powers of an Act empowering the Commissioners of Her Majesty's Woods to form a Royal Park in Battersea Fields; to facilitate the raising of Monies authorized to be raised by the said Commissioners for Metropolitan Improvements; and
to

to regulate and simplify the Mode of keeping the Accounts of the Commissioners of Her Majesty's Woods.
—[4th September 1848.]

§ I. Recites 9 & 10 Vict. c. 38, "An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in *Battersea Fields* in the County of *Surrey*."—9 & 10 Vict. c. 83, "An Act to empower the Commissioners for the Issue of Loans for Public Works and Fisheries to make Loans in Money to the Commissioners of Her Majesty's Woods, in lieu of Loans heretofore authorized to be made in Exchequer Bills.—Commissioners of Woods, &c. empowered to give Securities for Purchase Money.—Form of Certificate to be granted of such Security.—Certificates to be enrolled in the Office of Land Revenue Records and Enrolments.—II. Land Revenues charged with the Payment of Principal and Interest of Monies expressed in Certificates.—III. Delivery of Certificates to be deemed equivalent to Payment of Money awarded for Purposes of first-recited Act.—IV. Loans by Public Works Commissioners to be applied in Redemption of Certificates.—V. 4 & 5 Vict. c. 40, "An Act to empower the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of *Middlesex* and City of *London*."—7 & 8 Vict. c. 1, "An Act to enlarge the Powers of an Act of the Fourth and Fifth Years of Her present Majesty empowering the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis, on the Security of the Land Revenues of the Crown within the County of *Middlesex* and City of *London*."—VIII. 10 G. 4. c. 50, "An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Parks, and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in *England* and of the Land Revenue of the Crown in *Ireland*, and for extending certain Provisions relating to the same to the Isles of *Man* and *Alderney*." 2 & 3 W. 4. c. 1, "An Act for uniting the Office of Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and for other purposes." Annual Reports of Commissioners of Woods to be made up to 31st March instead of 5th January in every Year.—XI. Act to extend to *Scotland* and *Ireland*.—XII. Act may be amended, &c.

CAP. CIII.

An Act to authorize the Application of a Sum of Money out of the forfeited and unclaimed Army Prize Fund in purchasing the Site of the Royal Military Asylum, and in improving such Asylum.—[4th September 1848.]

CAP. CIV.

An Act for amending the Act for regulating the Prison at Millbank.—[4th September 1848.]

CAP. CV.

An Act to prohibit the Importation of Sheep, Cattle, or other Animals, for the Purpose of preventing the Introduction

Introduction of contagious or infectious Disorders.—
 [4th September 1848.]

WHEREAS it is expedient, in order to prevent the Introduction of contagious or infectious Disorders among Sheep, Cattle, Horses, and other Animals, that Power should be given to Her Majesty in Council to take such Measures as may appear to be necessary for preventing or regulating the Importation of Animals from Parts beyond the Seas where such infectious or contagious Disorders prevail: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, from Time to Time, by Order in Council, to prohibit the Importation or Introduction into the United Kingdom, or into any particular Port or Ports thereof, of Cattle, Sheep, Horses, or other Animals, either generally or from any Place or Places that may be named in such Order, for such Period or Periods as She may deem to be necessary, for the Purpose of preventing the Introduction of any infectious or contagious Disorder among the Sheep, Cattle, Horses, or other Animals in this Country.

Power to prohibit, by Order in Council, the Importation of Sheep, Cattle, &c., in order to prevent Contagion.

Power to make, by Order in Council, Regulations for subjecting Sheep, &c. to Quarantine.

II. And be it enacted, That it shall be lawful for Her Majesty from Time to Time, by Order in Council, to make such Regulations for subjecting Sheep, Cattle, Horses, or other Animals to Quarantine, or for causing the same to be destroyed upon their Arrival in this Country, or for destroying any Hay, Straw, Fodder, or other Article whereby it appears to Her that Infection or Contagion may be conveyed, and generally to make such Regulations with respect to the Importation of Sheep, Cattle, Horses, or other Animals, as She may consider to be necessary in order to prevent the Introduction of any contagious or Infectious Disorder.

Cattle, &c. imported contrary to Provisions of Orders in Council to be forfeited.

Penalty on importing, &c.

Orders in Council

III. And be it enacted, That if any Cattle, Sheep, Horses, or other Animals be imported or introduced, or attempted to be imported or introduced, contrary to the Provisions of any Order or Orders in Council made in pursuance of this Act, the same shall be forfeited in like Manner as Goods prohibited to be imported by any Act relating to the Customs; and all Persons importing or introducing or attempting to import or introduce the same shall be liable to such Penalties as are imposed on Persons importing or attempting to import Goods prohibited by Acts relating to the Customs.

IV. And be it enacted, That it shall be lawful for Her Majesty, by any further Order or Orders in Council, from Time to

to Time to revoke the whole or any Part of any Order or Orders issued by Her Majesty in Council under the Authority of this Act; and that from and after a Day to be named in such Order or Orders of Revocation such Order or Orders issued under the Authority of this Act, or such Part thereof as shall be specified in such Order or Orders of Revocation, shall cease and determine.

may be re-
voked in
whole or
in part
from Time
to Time.

V. And be it enacted, That every Order or Orders in Council issued under the Authority of this Act shall, within Fourteen Days after the issuing thereof, be twice published in the *London Gazette*; and that a Copy of every Order or Orders in Council issued under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders in
Council to
be publish-
ed in the
London
Gazette.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be
amended,
&c.

CAP. CVI.

An Act to amend an Act of the Tenth Year of Her present Majesty, for rendering valid certain Proceedings for the Relief of Distress in Ireland by employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings.—[4th September 1848.]

CAP. CVII.

An Act to prevent, until the First Day of September One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.—[4th September 1848.] (England.)

WHEREAS a contagious or infectious Disorder, known or described as the Sheep Pox or Variola Ovina, now prevails among the Sheep in some Parts of the United Kingdom, and it is necessary to take Measures to prevent such Disorder from spreading: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Sheep or Lambs infected with or labouring under the said Disorder, or any Disorder of the like Nature, be exposed or offered for Sale, or be brought or attempted to

Infected
Sheep ex-
posed for
sale may
be

be seized
and de-
stroyed,
together
with Pens,
Hurdles,
&c.

be brought for the Purpose of being so exposed or offered for Sale, in any Market, Fair, or other open or public Place where other Animals are commonly exposed for Sale, then and in any such Case it shall be lawful for any Clerk or Inspector or other Officer of such Fair or Market, or for any Constable or Policeman, or for any other Person authorized by the Mayor, or by any Two Justices of the Peace having Jurisdiction in the Place, or for any Person authorized or appointed by Her Majesty in Council, to seize the same, and to report such Seizure to the Mayor or any Justice of the Peace having Jurisdiction in the Place; and it shall be lawful for such Mayor or Justice either to restore the same, or to cause the same, together with any Pens, Hurdles, Troughs, Litter, Hay, Straw, or other Articles which he may judge likely to have been infected thereby, to be forthwith destroyed or otherwise disposed of in such Manner as he shall deem proper, or as may be directed in manner herein-after provided; and any Person bringing or attempting to bring any Sheep, Lambs, Oxen, Bulls, Cows, Calves, or other horned Cattle, into any such Market, Fair, or open or public Place as aforesaid, knowing such Sheep, Lambs, or Cattle to be infected with or labouring under either of such Disorders as aforesaid, shall, upon Conviction thereof, forfeit and pay for each and every such Offence a Sum not exceeding Twenty Pounds.

Penalty on
Parties
exposing
Cattle for
Sale,
knowing
them to be
diseased.

Penalty on
Persons
depastur-
ing diseas-
ed Sheep,
&c.

II. And be it enacted, That if any Person turn out, keep, or depasture any Sheep or Lambs infected with or labouring under the said Disorder in or upon any Forest, Chase, Wood, Moor, Marsh, Heath, Common, waste Land, open Field, Road Side, or other undivided or uninclosed Land, such Person shall, on Conviction thereof, forfeit and pay any Sum not exceeding Twenty Pounds.

Penalty on
Persons
exposing
for Sale
Meat unfit
for Human
Food.

III. And whereas it is expedient for the Preservation of the public Health to make more effectual Provision for preventing the Exposure for Sale of any Meat unfit for Human Food: Be it enacted, That if any Meat unfit for Human Food be exposed or offered for Sale in any Market, Fair, or other open or public Place, it shall be lawful for such Clerks, Inspectors, Constables, Policemen, or other Persons authorized as aforesaid to seize the same, and to report such Seizure to such Mayor or Justice as aforesaid, and such Mayor or Justice may either order the same to be restored, or to be destroyed or otherwise disposed of as aforesaid; and any Person publicly exposing or offering such Meat for Sale shall, upon Conviction, forfeit and pay for each and every such Offence a Sum not exceeding Twenty Pounds.

IV. And for the more effectually preventing the spreading of contagious or infectious Disease, be it enacted, That it shall be lawful for the Lords and others of Her Majesty's Privy Council,

Privy
Council
may make

Council, or any Two or more of them, from Time to Time to make such Orders and Regulations as to them may seem necessary for the Purpose of prohibiting or regulating the Removal to or from such Parts or Places as they may designate in such Order or Orders, of Sheep, Cattle, Horses, Swine, or other Animals, or of Meat, Skins, Hides, Horns, Hoofs, or other Parts of any Animals, or of Hay, Straw, Fodder, or other Articles likely to propagate Infection; and also for the Purpose of purifying any Yard, Stable, Outhouse, or other Place, or any Waggon, Carts, Carriages, or other Vehicles; and also for the Purpose of directing how any Animals, dying in a diseased State, or any Animals, Parts of Animals, or other Things seized under the Provisions of this Act, are to be disposed of; and also for the Purpose of causing Notices to be given of the Appearance of any Disorder among Sheep, Cattle, or other Animals, and to make any other Orders or Regulations for the Purpose of giving Effect to the Provisions of this Act, and again to revoke, alter, or vary any such Orders or Regulations; and all Provisions for any of the Purposes aforesaid in any such Order or Orders contained shall have the like Force and Effect as if the same had been inserted in this Act; and all Persons offending against the same shall for each and every Offence forfeit and pay any Sum not exceeding Twenty Pounds, or such smaller Sum as the said Lords or others of Her Majesty's Privy Council may in any Case by such Order direct.

Regulations as to Removal of Sheep, &c.;

as to purifying Yards, Stables, &c.;

as to Disposal of Animals dying in an infected State; and as to giving Notice of Appearance of Disease, &c.

Penalty for offending against the same.

V. And be it enacted, That all Orders and Regulations made under the Authority of this Act shall, within Fourteen Days after the issuing thereof, be twice published in the *London Gazette*; and in case such Orders or Regulations apply to any particular Places or Districts, then the same shall also be twice published, within Fourteen Days as aforesaid, in some Newspaper or Newspapers circulating in the County or Counties within which each of such Places or Districts, or any Part or Parts thereof respectively, is or are situated.

Orders, &c. to be published in Gazette, and in Country Newspapers;

VI. And be it enacted, That a Copy of every such Order or Orders shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if Parliament be not then sitting, then within Six Weeks after the Commencement of the then next Session of Parliament.

and to be laid before Parliament.

VII. And be it enacted, That in case any Person wilfully obstruct or impede any Person acting under the Authority of this Act, or of any Order or Regulation made in pursuance of this Act, every Person so offending, and all others aiding and assisting therein, shall and may be seized and detained by such Person so acting under the Authority of this Act as aforesaid, or any Person or Persons he may call to his Assistance, until such

Penalty for obstructing Persons in the Execution of this Act.

such Offender or Offenders can be conveniently taken before some Justice of the Peace having Jurisdiction in the County or Place wherein such Offence shall be committed, and when convicted before such Justice as aforesaid, (who is hereby authorized and required, upon Complaint to him upon Oath, to take cognizance thereof, and to act summarily in the Premises,) shall, in the Discretion of such Justice, forfeit any Sum not exceeding Five Pounds, and in default of Payment thereof shall and may be imprisoned for any Term not exceeding Two Calendar Months, unless the Amount of the Penalty shall have been sooner discharged.

Penalties
to be sum-
marily re-
covered
before Two
Justices.

VIII. And be it enacted, That every Penalty or Forfeiture imposed by this Act may be recovered by summary Proceeding before Two Justices; and upon the Exhibition of any Information in Writing before any Justice such Justice shall issue a Summons requiring the Party complained against to appear before Two Justices having Jurisdiction, at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate, at his last or usual Place of Abode; and upon the appearance of the Party complained against, or in his Absence, after Proof of the Service of such Summons, it shall be lawful for any Two Justices having Jurisdiction to proceed to the hearing of the Complaint; and upon Proof of the Offence, either by the Confession of the Party complained against or upon the Oath of One credible Witness or more, it shall be lawful for such Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay such Penalty as may seem fit, and not greater than the Penalty or Forfeiture specified in this Act, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties
to be
levied by
Distress.

IX. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs as aforesaid, be not paid, the Amount of such Penalty and Costs shall be levied by Distress, and such Justices, or either of them, or any other Justice having Jurisdiction as aforesaid, shall issue their or his Warrant of Distress accordingly.

In default
of Distress,
Justices
may com-
mit the
Offender
to Prison.

X. And be it enacted, That it shall be lawful for any such Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by Way of Recognizance or otherwise, to the Satisfaction of the Justice, for his appearance before him on the Day appointed for such Return, such Day being not
more

more than Eight Days from the Time of taking such Security ; but if before issuing such Warrant of Distress it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had within the Jurisdiction of such Justice whereon to levy such Penalty or Forfeiture and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress ; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

XI. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same ; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expenses of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress,
how to be
levied.

XII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress
not unlaw-
ful for
Want of
Form.

XIII. And be it enacted, That all Penalties and Forfeitures recovered under this Act shall be applied as follows ; one Half thereof shall be paid to the Person who shall sue or proceed for the same, and the other Half to Her Majesty's Use, and shall be paid to the Sheriffs of the County, City, or Town where the same shall have been imposed, and shall have been duly accounted for by him ; and that all Convictions before Justices, and all Fines, Forfeitures, or Penalties imposed in consequence of such Convictions, shall be returned to the Court of Quarter Sessions, under the Provisions of an Act passed in the Third Year of His late Majesty King George the Fourth, intituled *An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures, and Recognizances estreated.*

Applica-
tion of
Penalties.

Convic-
tions to be
returned to
Quarter
Sessions
under 3 G.
4. c. 46.

XIV. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of

Penalties
to be sued
of

for within
Two
Months
after Com-
mission of
Offence.

Penalty on
Witnesses
making
default.

of this Act for any Offence made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Two Months next after the Commission of such Offence.

XV. And be it enacted, That it shall be lawful for any Justice to Summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person so summoned shall without reasonable Excuse refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expenses, or if any Person appearing shall refuse to be examined on Oath, or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Proceed-
ings not to
be quashed
for Want
of Form,
nor re-
moved by
Certiorari.

XVI. And be it enacted, That no Warrant of Commitment consequent upon any summary Conviction under this Act shall be held void by reason of any Defect in such Warrant, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same; nor shall any Conviction, Order, or other Proceeding in pursuance of this Act be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Parties
aggrieved
may appeal
to Quarter
Sessions,
on giving
Security.

XVII. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice with respect to any Penalty or Forfeiture under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County or Place in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court may
make such
Order as
they think
reasonable.

XVIII. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm

or

or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

XIX. And be it enacted, That in case the Mayor or Justice to whom the seizure of any Sheep, Lambs, or Cattle supposed to be infected as aforesaid, or of any Meat supposed to be unfit for Human Food, may have been reported, shall upon Inquiry order the same to be restored, and in case it appear to such Mayor or Justice that there was a probable Cause of Seizure, then and in such Case such Mayor or Justice shall grant a Certificate to the Party making the Seizure that there was such probable Cause, and in such Case the Person or Persons who made such Seizure, being a Person or Persons acting under the Authority of this Act, or of any Order made in pursuance hereof, shall not be liable to any Action, Indictment, or other Suit or Prosecution on account of such Seizure; and in Case any Action, Indictment, or other Suit or Prosecution shall be commenced and brought to Trial against any Person or Persons, being a Person or Persons acting under such Authority as aforesaid, on account of the Seizure of any Animals, Parts of Animals, Hay, Straw, Fodder, or other Articles seized as forfeited under the Provisions of this Act, or of any Order or Orders made under the Authority of the same, wherein a Verdict shall be given against the Defendant or Defendants, if the Court or Judge before whom such Information or Suit shall have been tried shall have certified on the said Record that there was a probable Cause for such Seizure, then the Plaintiff, besides the Things seized or the Value thereof, shall not be entitled to above Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant or Defendants in such Prosecution be fined above One Shilling.

If Suit brought on account of Seizure, and the Judge shall certify that there was probable Cause, Plaintiff to have 2*d.* Damages, and Defendant fined not more than 1*s.*

XX. And be it enacted, That this Act shall continue in force until the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, and if Parliament be then sitting then further until the End of the then Session.

Act to continue in force for Two Years.

XXI. And be it enacted, That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or the Lord Mayor of the said City for the Time being, nor prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord

Act not to affect the Rights, &c. of the City of London.

Mayor

Mayor for the Time being, possess, by Custom, Charter, or otherwise, for the Regulation, Management, and Control of Markets, or the Sale of infected Meat, Hides, Skins, Horns, Hoofs, or other Part of any infected Animal, or infected Hay, Straw, Fodder, or other Article, or the Lord Mayor and Court of Aldermen, or the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, under or by virtue of any Act of Parliament, did or might lawfully claim, use, or exercise.

Act may be
amended,
&c.

XXII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.*

CAP. CVIII.

An Act for enabling Her Majesty to establish and maintain Diplomatic Relations with the Sovereign of the Roman States.—[4th September 1848.]

§ I. Her Majesty empowered to establish Diplomatic Relations with the Sovereign of the Roman States—II. No Person to be received as Ambassador, &c. from the Court of Rome who shall be in Holy Orders, &c.—III. Nothing to affect any Laws now in force for upholding the Supremacy of the Crown.

CAP. CIX.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England & Wales.—[4th September 1848.]

CAP. CX.

An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions.—[4th September 1848.] (England & Wales.)

CAP. CXI.

An Act to amend an Act of the Tenth Year of Her present Majesty, for amending the Laws relating to the Removal of the Poor.—[4th September 1848.] (England & Wales.)

CAP. CXII.

An Act to consolidate and continue in force for Two Years and to the End of the then next Session of Parliament, the Metropolitan Commissions of Sewers.—[4th September 1848.]

CAP. CXIII.

* Although this is an English Act, yet, as it may affect Scottish interests, it is here inserted.

CAP. CXIII.

An Act for the further Amendment of the Acts relating to the Dublin Police.—[4th September 1848.]

CAP. CXIV.

An Act to prevent District Auditors from taking Proceedings in certain Cases.—[4th September 1848.]
(England & Wales.)

CAP. CXV.

An Act to vest in Her Majesty the Property of the Irish Reproductive Loan Fund Institution, and to dissolve the said Institution.—[4th September 1848.]

CAP. CXVI.

An Act for carrying into effect the Treaty between Her Majesty and the Republic of the Equator for the Abolition of the Traffic in Slaves.—[4th September 1848.]

CAP. CXVII.

An Act for rendering certain Newspapers published in the Channel Islands and the Isle of Man liable to Postage.—[4th September 1848.]

WHEREAS it is expedient to render certain Newspapers published in the *Channel Islands* and the *Isle of Man* liable to Postage: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Postmaster General, with the consent of the Commissioners of Her Majesty's Treasury, (signified under the Hands of the said Commissioners, or any Three of them, or under the Hand of one of their Secretaries or Assistant Secretaries,) may from Time to Time, and at all Times hereafter, charge any Newspapers printed or published in any of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, and sent by the Post between any of such Islands and *Great Britain* or *Ireland*, or sent by the Post in *Great Britain* or *Ireland*, with such Rates or Duties of Postage as the Postmaster General, with such Consent as aforesaid, shall think fit, but not exceeding the Rates or Duties to which such Newspapers would be liable if they were Letters sent by the Post;

News-
papers
from the
Channel
Islands or
from the
Isle of Man
to be liable
to the Pay-
ment of
Rates or
Duties of
Postage.

Post; and the Postmaster General may from Time to Time, with such Consent as aforesaid, alter or repeal any such Rates or Duties of Postage, and charge any such Newspapers with any other Rates or Duties of Postage, not exceeding the Rates to which such Newspapers would be liable if they were Letters (or may exempt any such Newspapers from all Duties of Postage,) in lieu thereof, and the Rates or Duties of Postage from Time to Time to become chargeable under or by virtue of this Act shall be paid accordingly; and the Monies paid to or received by the Post Office for such Rates or Duties shall form Part of the Revenue of the Post Office.

Act to be deemed a Post Office Act, and Terms to be construed as directed by 3 & 4 Vict. c. 96.

II. And be it enacted, That this Act shall be deemed and taken to be a Post Office Act, and that the several Terms and Expressions used in this Act shall be construed according to the respective Interpretations of the Terms and Expressions contained in an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Duties of Postage*, so far as those Interpretations are not repugnant to the Subject, or inconsistent with the Context of such Terms and Expressions.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. CXVIII.

An Act to explain and amend the Law as to the Licence required for the letting of Post Horses to Hire in Ireland, and the Law respecting Proceedings for Duties and Penalties under the Post Horse, Stage, and Hackney Carriage Acts in the United Kingdom.
—[4th September 1848.]

55 G. 3.
c. 19.

WHEREAS by an Act passed in the Fifty-fifth Year of the Reign of his late Majesty King George the Third, intituled *An Act to grant certain Duties of Excise upon Licences for the Sale of Spirituous and other Liquors by Retail, and upon Licences to Persons dealing in exciseable Commodities, in Ireland, in lieu of the Stamp Duties payable upon such Licences, and to secure the Payment of such Excise Duties, and to regulate the issuing of such Licences, and to discourage the immoderate Use of Spirituous Liquors in Ireland*, and by the Schedule to that Act annexed, a certain Duty is granted and made payable upon and in respect of Licences to Persons to let to Hire any Horse for the Purpose of travelling Post by the Mile or from Stage to Stage in Ireland; and by an Act of the Seventh and Eighth Years of the Reign of Her Majesty Queen Victoria, intituled

intituled *An Act to transfer the Collection of the Duty on 7 & 8 Vict. Licences to let Horses for Hire in Ireland from the Commis- c. 67.* sioners of Stamps to the Commissioners of Excise, such Duty is placed under the Collection and Management of the Commissioners of Excise, and directed to be denominated and taken to be an Excise Duty: And whereas Doubts have arisen whether such Licence is required to be taken out by every Person who lets any Horse for Hire, whether the same be for the Purpose of travelling Post by the Mile, or from Stage to Stage, or otherwise in *Ireland*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Licence in the said Act of the Fifty-fifth Year aforesaid mentioned shall be deemed and taken to have been and to be required to be taken out, and the Duty by that Act granted paid, by every Person who has let or who lets to Hire any Horse in *Ireland*, and that any Person so having let or letting any Horse in *Ireland* without such Licence shall be subject to the Penalty of Fifty Pounds imposed by the said Act upon the letting to Hire any Horse for the Purpose of travelling Post by the Mile or from Stage to Stage, and that the Duties of Excise heretofore collected and charged for or in respect of the Licence before mentioned shall be deemed and taken to have been lawfully charged on all Persons who have let to Hire any Horse in *Ireland*, whether the same has been for the Purpose of travelling Post by the Mile, or from Stage to Stage, or otherwise, and all Penalties heretofore incurred for or in respect thereof shall be deemed and taken to have been legally incurred (save and except in any Case in which the same has been already determined to the contrary in any Court of Law of competent Jurisdiction), and all such Duties and Penalties (save and except as aforesaid) shall be recovered, paid, and applied as any other Duties or Penalties of Excise due or in arrear may now be recovered, paid, and applied under any Law or Laws of Excise; and the Commissioners of Excise, and their Officers duly authorized to grant Licences, shall be indemnified, freed, and discharged from all Actions, Causes of Action, and Damages for or in respect of any Act heretofore done by them in granting any such Licences.

II. And be it enacted, That all Duties of Excise by the said recited Acts granted, and as by this Act explained, for and in respect of the Licence to let to Hire any Horse in *Ireland*, and all Penalties imposed by the said Acts upon Persons so letting Horses to Hire without such Licence, and all duties imposed on Horses let for Hire in *Great Britain*, and on Licences

Licences to let Horses to Hire in Ireland, mentioned in recited Act 55 G. 3. c. 19., to be deemed to be taken out by all Persons letting Horses to Hire, under a Penalty of 50l.

Commissioners may direct Proceedings to be taken for Recovery of the

Duties and Penalties levied under
 2 & 3 W. 4.
 c. 120.,
 5 & 6 Vict.
 c. 79.,
 1 & 2 W. 4.
 c. 22.,
 7 & 8 G. 4.
 c. 53., and
 4 & 5 W. 4.
 c. 51.

Licences relating to the same, by an Act of the Second and Third Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal the Duties under the Management of the Commissioners of Stamp on Stage Carriages and on Horses let for Hire in Great Britain, and to grant other Duties in lieu thereof, and also to consolidate and amend the Laws relating thereto*, and all Duties imposed for and in respect of Stage Carriages, and of Licences for keeping or using the same, and for and in respect of Passengers conveyed upon Railways, by an Act of the Fifth and Sixth Years of the Reign of Her Majesty, intituled *An Act to repeal the Duties payable on Stage Carriages and on Passengers conveyed upon Railways, and certain other Stamp Duties in Great Britain, and to grant other Duties in lieu thereof, and also to amend the Laws relating to the Stamp Duties*, and all Duties imposed for and in respect of Licences to keep, use, and let to Hire Hackney Carriages within the Distance of Five Miles from the General Post Office in the City of London, by an Act of the First and Second Years of the Reign of His said Majesty King William the Fourth, intituled *An Act to amend the Laws relating to Hackney Carriages, and to Waggons, Carts, and Drays used in the Metropolis, and to place the Collection of the Duties on Hackney Carriages and on Hackers and Pollars in England under the Commissioners of Stamps*, all which several Duties are declared by Law to be Duties of Excise, and placed under the Collection and Management of the Commissioners of Excise, and all Penalties, Fines, and Forfeitures, imposed by the said recited Acts or any of them, or by any other Act or Acts of Parliament relating to the several Duties or any of them, may, by Order of the Commissioners of Excise, be collected, sued for, recovered, levied, mitigated, paid, and applied as by the said recited Acts or any of them, or by any of the Acts aforesaid, is directed, or by the same Ways, Means, and Methods, and in like Manner, and under the same general or special Powers, Provisions, Regulations, and Directions as to Appeal, and in all other respects, as any other Duties of Excise, or any Fines, Penalties, or Forfeitures in such respect are directed to be collected, sued for, recovered, levied, mitigated, paid, and applied under an Act of Parliament of the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout Great Britain and Ireland*, as amended by another Act of the Fourth and Fifth Years of the Reign of His said Majesty King William the Fourth, intituled *An Act to amend the Laws relating to the Collection and Management of*
the

the Revenue of Excise, (except so far as the same is afterwards repealed by this Act,) and as amended by any other Act or Acts relating to the Collection and Management of the Duties of Excise, anything in any Act or Acts of Parliament transferring the Collection and Management of the Duties before specified to the Commissioners of Excise to the contrary thereof notwithstanding.

III. And whereas by the said Act of the Fourth and Fifth Years of the Reign of His said Majesty King *William* the Fourth it is amongst other things enacted, "that every Information for the Recovery of any Penalty, or for the Condemnation of any Seizure, shall be exhibited before the Commissioners of Excise or Justice or Justices of the Peace respectively within Four Calendar Months next after the Offence or Offences alleged in such Information shall have been committed, or the Goods, Commodities, Chattels, or Things therein alleged to have been forfeited shall have been seized:" And whereas there is no such Limitation of Time to the like Proceedings before Justices directed by the said Act of the Second and Third Years of the Reign of His said Majesty King *William* the Fourth: Be it enacted, That so much of the said Act of the Fourth and Fifth Years of the Reign of His said Majesty King *William* the Fourth as is herein-before recited shall be and the same is hereby repealed; and that from and after the passing of this Act every Information exhibited by Order of the Commissioners of Excise for the Recovery of any Penalty imposed, or for the Condemnation of any Seizure made as forfeited under or by virtue of any Act or Acts relating to any Duties under the Collection and Management of the Commissioners of Excise or of the Commissioners of Customs may be exhibited before the Commissioners of Excise or Justice or Justices of the Peace respectively at any Time within Six Calendar Months after the Offence or Offences alleged in such Information have been committed, or the Goods, Commodities, Chattels, or Things therein alleged to have been forfeited have been seized, and all such Proceedings shall be afterwards had thereupon as by Law directed, anything in any other Act or Acts of Parliament to the contrary thereof notwithstanding.

So much of 4 & 5 W. 4. c. 51. as is herein recited repealed.

After passing of this Act every Information for Recovery of Penalties, &c. may be brought before the Commissioners of Excise or Justices within Six Months from Commission of Offences.

CAP. CXIX.

An Act to simplify the Forms of Certificates under the Act authorizing the Advance of Money for the Improvement of Land by Drainage in Great Britain.—
 [4th September 1848.]

9 & 10
 Vict. c.
 101.

10 & 11
 Vict. c. 11.

Lands in
 Second
 and subse-
 quent Cer-
 tificates
 may be
 specified
 by Reference
 to the
 First.

Commis-
 sioners
 with Ap-
 proval of
 Treasury
 may cancel
 Certifi-
 cates, &c.

WHEREAS an Act was passed in the Session of Parliament holden in the Ninth and Tenth Years of Her present Majesty, intituled *An Act to authorize the Advance of Public Money to a limited Amount to promote the Improvement of Land in Great Britain and Ireland by Works of Drainage*, and the said Act was explained and amended by an Act of the last Session of Parliament: And whereas, Doubts have been entertained whether, in Cases where more than One Certificate for an Advance is issued in respect of the same Provisional Certificate under the said Acts, the Specifications of the Lands should not be repeated in full in every such Certificate, it is expedient that the Provisions of the said Acts as to such Certificates of Advance should be amended and explained as hereafter mentioned: Be it enacted and declared, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where more than One Certificate for an Advance under the said Acts or either of them shall be issued in respect of the Works referred to in the same Provisional Certificate, it shall not be necessary in the Second or any subsequent Certificate for an Advance in respect of such Works to specify the Land in respect of which such Advance is to be made, except by way of Reference to the Specification in the First Certificate of Advance as herein-after mentioned, but it shall be sufficient that such Second and every subsequent Certificate shall certify that the Land to be charged in respect of the Advance under such Certificate is the Land which is specified in the First Certificate of Advance in respect of the Works referred to in the same Provisional Certificate, and shall state the Date of such First Certificate, and the Sum which the Commissioners shall have therein certified should be issued.

II. And be it enacted, That it shall be lawful for the Commissioners, where they shall think fit, with the Approval of the Commissioners of Her Majesty's Treasury, notified by One of their Secretaries by any Memorandum in Writing under the Seal of the Commissioners, to cancel any Certificate for an Advance under the said Acts upon which no Advance shall have been actually made, and thereupon such Certificate shall be

be wholly void; and it shall be lawful for the Commissioners to proceed as if no such Certificate had been made or issued.

III. Provided always, and be it enacted, That where any such Certificate which shall have been so cancelled as aforesaid shall have been registered in the General or Particular Register of Sasines in *Scotland*, the said Commissioners shall and may deliver to the owner of the Lands, or the Party to whom such Certificate so cancelled as aforesaid was granted, or other Party interested, a Duplicate of the said Memorandum of such Cancellation, and such Owner or Party shall cause the said Memorandum to be duly registered in the General or Particular Register of Sasines in which such cancelled Certificate was registered, and the Keeper of such Register is hereby authorized and required to register the same accordingly, and to grant an Indorsement on the said Memorandum, certifying that the same has been duly registered.

Where cancelled Certificate shall have been registered in Scotland, Commissioners to deliver a Memorandum of Cancellation, which shall be registered, &c.

IV. And be it enacted, That this Act and the said recited Act shall be construed together as one Act.

This Act and recited Acts to be One.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. CXX.

An Act to facilitate the Transfer of Landed Property in Ireland.—[4th September 1848.]

CAP. CXXI.

An Act to alter the Laws and Regulations of Excise respecting the Survey of Dealers in and Retailers of Spirits, and respecting the Sale and Removal of Spirits by Permit from the Stock of such Traders; and respecting the Distribution of Penalties and Forfeitures recovered under the Laws of Excise.—[4th September 1848.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal the Duties payable in respect of Spirits distilled in England, and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof; and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the warehousing of such Spirits, without Payment of Duty, for Exportation*; in which Act are contained several Enactments, Regulations, Provisions, Penalties, and Forfeitures respecting

6 G. 4. c. 80.

9 G. 4. c. 45.

So much
of recited
Acts as
relate to
Dealers
in and Re-
tailers of
Spirits,
and all
other Acts
repugnant
hereto,
repealed.

respecting Dealers in and Retailers of Spirits, and the same are directed to extend and be applied to *Scotland* and *Ireland* by an Act passed in the Ninth Year of the Reign of His said Majesty, intituled *An Act to amend and to make perpetual, and to extend to the whole of the United Kingdom, certain Provisions contained in several Acts for regulating the Rectification, compounding, dealing in, or retailing of Spirits, and for preventing private Distillation in Scotland; and to provide for the Payment of the Duty on Malt used in making of Spirits from Malt only*: And whereas it is expedient to repeal all such Enactments, Regulations, Provisions, Penalties, and Forfeitures, and to substitute other Regulations in lieu thereof: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act all the Enactments, Regulations, Provisions, Penalties, and Forfeitures contained in the said Act of the Sixth Year of the Reign aforesaid which are in force in respect of or in relation to Dealers in and Retailers of Spirits, and which are directed to extend and be applied to, and to be established, observed, executed, and put in force in and throughout *Scotland* and *Ireland* respectively, and in and throughout the United Kingdom of *Great Britain* and *Ireland*, by the said Act of the Ninth Year of the Reign aforesaid, and all other Enactments, Regulations, Provisions, Penalties, and Forfeitures respecting Dealers in and Retailers of Spirits in any other Act or Acts of Parliament relating to the Revenue of Excise which are provided for by this Act, or which are repugnant to or inconsistent with any of the Provisions of this Act, shall be and the same are hereby repealed, save and except as to any Fine, Penalty or Forfeiture incurred under the said Acts or any of them by any such Dealer in or Retailer of Spirits before the passing of this Act, which Fine, Penalty, and Forfeiture may be recovered, enforced, and applied in the same Manner, and by the same Ways, Means, Powers, and Authorities, as if this Act had not been passed.

Act not to
affect former
Provi-
sions re-
spect-
ing
Licences
or Certifi-
cates or
Regula-
tions of
Police re-
spect-
ing

II. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to affect any Excise Licence required to be taken out by any Dealer in or Retailer of Spirits in any Part of the United Kingdom, or any Duties of Excise in such respect (except so far as the same are otherwise specially provided for by this Act), or the Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures in force in respect of any such Licence, or in respect of any Certificate, to keep a common Inn, Ale-
house,

house, or Victualling House, or any other Certificate, Notice, or Authority required to be produced before an Excise Licence can be obtained for the Sale of Spirits by Retail to be drunk or consumed in or upon the House or Premises where sold, or in respect of the Sale of Spirits, or the carrying on of the Business of a Retailer of Spirits, so far as the same is made subject to certain Laws, Regulations, and Provisions of Police, or the Enactments, Regulations, Provisions, Pains, Penalties, or Forfeitures under or by virtue of which any Dealer in or Retailer of Spirits is required not to receive or knowingly suffer to be received into his Stock, Custody, or Possession, or to suffer any Person for him, or for his Use, or on his Account, to receive any Spirits without the same being accompanied by a true and lawful Permit, so far as relates to the receiving of Spirits by such Dealers or Retailers from the Stock, Custody, or Possession of the Distiller or Rectifier thereof, or from any other Person not being a licensed Dealer in or Retailer of Spirits sending out such Spirits with a true and lawful Certificate as after mentioned, or from a public Sale of Spirits condemned and sold under the Direction of the Commissioners of Excise or Customs, or the Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures under which Spirits made in *England*, *Scotland*, and *Ireland* respectively may be shipped or carried, conveyed or removed, from *England* to *Scotland* or *Ireland*, or from *Scotland* to *England* or *Ireland*, or from *Ireland* to *England* or *Scotland*; all which Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures shall be and remain in full Force and Effect to all Intents and Purposes.

Retailers of Spirits, or the Removal of Spirits by Permit from the Distiller or Rectifier, or between the Three Parts of the United Kingdom.

III. And be it enacted, That every Dealer in or Retailer of Spirits shall make a true and particular Entry in Writing, to be signed by such Dealer or Retailer, of every Building, Room, or other Place intended to be used by him in or for the keeping of Spirits, and of every Vessel or Utensil, and of all standing or fixed Casks used or intended to be used by him in or for the keeping of any Spirits; and every such Entry shall be made by delivering the same to the proper Officer of Excise; and every such Building, Room, Place, Vessel, Utensil, and Cask shall be distinguished by a particular Letter or Number, and shall be described in such Entry by a corresponding Letter or Number; and every such Building, Room, and Place shall be open to the Entry and Inspection of any Officer of Excise, as directed by an Act of the Seventh and Eighth Years of the Reign of His said Majesty, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout*

Entry to be made of Premises.

7 & 8 G. 4. c. 53.

Great

Great Britain and Ireland, and by an Act of the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to amend the Laws relating to the Collection and Management of the Revenue of Excise*; and every Dealer in and Retailer of Spirits shall be subject to the Pains, Penalties, and Forfeitures imposed by the said recited Acts, and by an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to alter and amend certain Laws relating to the Collection and Management of the Duties of Excise*, for every Default in observing any of the Particulars aforesaid; and the said Pains, Penalties, and Forfeitures, and all Enactments, Regulations, Provisions, Matters, and Things, in the said recited Acts, or any of them, so far as the same are applicable to this Act, shall be applied to the several Enactments, Regulations, Provisions, Matters, and Things contained in this Act as fully and effectually as if the same had been repeated and re-enacted in this Act.

Fixed Casks used by Dealers or Retailers of Spirits in Stock to have the Contents painted, cut, or branded thereon, under the Penalty of L.50.

IV. And for enabling the Officers of Excise the more readily to take account of Dealers and Retailers Stocks of Spirits as in this Act after mentioned, be it enacted, That upon every standing or fixed Cask used by any Dealer in or Retailer of Spirits for holding or keeping any Spirits in Stock, its full Measure in Gallons, or the Quantity of Liquor it is capable of containing, shall be legibly painted, cut, or branded on some conspicuous Part thereof, upon pain that the Dealer or Retailer in whose Custody or Possession any Cask so used is found, not having such full Measure thereof painted, cut, or branded thereon as aforesaid, shall forfeit and lose the Sum of Fifty Pounds for every such Default as aforesaid.

Dealers and Retailers to mark the true Strength and Quantity of compounded Spirits on the Casks.

V. And be it enacted, That in all Cases where the Strength of any Part of the Stock of Spirits of any Dealer in or Retailer of Spirits, by being mixed or compounded with any Sugar, Syrup, Seeds, Fruit, or any other Ingredients or Materials, cannot be ascertained by *Sykes'* Hydrometer, every such Dealer or Retailer shall, immediately on being required so to do by any Officer of Excise, cause the true Quantity and Degree of Strength of such Spirits to be legibly marked on the Outside of the Cask or Casks or Vessel or Vessels containing the same respectively; and if the Quantity and Strength of any such Spirits is found to be untruly marked as aforesaid, or if any such Dealer or Retailer, upon being required by any Officer of Excise, refuses or neglects immediately to mark the Quantity and Strength of such Spirits as aforesaid, all such Spirits, Syrup, Seeds, Fruit, and other Ingredients, together with the Casks and Vessels containing the

the same, shall be forfeited, and every such Dealer or Retailer shall for every such Offence incur the Penalty of Fifty Pounds : Provided always, That no such Penalty or Forfeiture shall be incurred by any Dealer or Retailer who marks on any such Cask of Compounds as the Strength of the Spirits therein contained the Strength expressed in the Permit or Certificate with which the same were received by such Dealer or Retailer into his Stock, no Alteration having been since made therein.

VI. And be it enacted, That every Dealer in or Retailer of Spirits shall cause to be legibly cut, branded, or painted on the Outside of both of the Heads or Ends of each rolling or movable Cask used by him for keeping or delivering out Spirits, and shall at all Times keep thereon so cut, branded, or painted, the full and true Number of Gallons which every such Cask is capable of containing ; and every such Cask which is found containing Spirits without the full and true Number of Gallons which the same is capable of containing being so cut, branded, or painted thereon, together with the Spirits contained therein, shall be forfeited.

True Content to be cut, branded, or painted on movable Casks, under pain of Forfeiture.

VII. And be it enacted, That every Retailer of Spirits, not being entered and licensed also as a Dealer in Spirits, who sells, sends out, or delivers any Spirits to any Rectifier or Compounder of or Dealer in or Retailer of Spirits, shall incur the Penalty of Fifty Pounds ; and every Dealer in Spirits, not being entered and licensed also as a Retailer of Spirits, who sells, sends out, or delivers any Spirits in a less Quantity than Two Gallons of Spirits of the same Denomination at a Time to the same Person, shall incur the like Penalty : Provided always, that no such Penalty shall be incurred for or in respect of any Foreign or Colonial Spirits so sold whilst the same remain in the proper Warehouse of the Customs in which the same have been deposited on the due Importation thereof.

Penalty on Retailer not licensed as a Dealer sending out Spirits to a Rectifier, and on Dealer not licensed as Retailer selling less than Two Gallons.

VIII. And be it enacted, That no Retailer of Spirits shall be a Distiller, Rectifier, or Compounder of Spirits, or be in any Manner interested or concerned in the Trade or Business of a Distiller, Rectifier, or Compounder of Spirits, at any Premises within Two Miles of the Place at which he is entered or licensed to carry on the Business of a Retailer of Spirits ; and no Person shall be licensed as a Retailer of Spirits in any House or Premises having any Communication or Way internally or through any inclosed or private Yard, Field, Passage, or private Road or Place with any House or Premises entered or used by any Distiller or Rectifier of Spirits ; and if any such Retailer of Spirits is a Distiller, Rectifier, or Compounder of Spirits, or is in any Manner interested or concerned in such Trade

Retailer not to be concerned in any Distillery, &c. within Two Miles of his Premises, and no Person to be licensed as a Retailer in any Place having a private Com-

munica-
tion with
a Distil-
lery, &c.

Trade or Business contrary to this Act, and if any Person is licensed as a Retailer of Spirits in any House or Premises contrary to this Act, he shall for every such Offence incur the Penalty of Two hundred Pounds.

Licensed
Dealers in
Spirits
may take
out an ad-
ditional
Licence to
retail Fo-
reign
Liqueurs.
6 G.4.c.81.

IX. And be it enacted, That from and after the Commence-
ment of this Act any Person duly licensed as a Dealer in
Spirits under an Act of the Sixth Year of the Reign of His
late Majesty King *George* the Fourth, intituled *An Act to*
repeal several Duties payable on Excise Licences in Great
Britain and Ireland, and to impose other Duties in Lieu thereof,
and to amend the Laws for granting Excise Licences, may
take out an additional Licence authorizing such Person to sell
by Retail any Quantity (the same not being less than One
reputed Quart Bottle, or in the Bottles in which the same may
have been imported) of Foreign Liqueurs, not to be drunk or
consumed upon the Premises.

Duty on
additional
Licence to
be £2, 2s.,
to be under
the Excise.

X. And be it enacted, That for every such Additional Li-
cence there shall be paid an annual Duty of Excise of Two
Pounds Two Shillings, which said Duty shall be under the
Collection and Management of the Commissioners of Excise,
and shall be raised, recovered, paid, and accounted for in the
same Manner, and under the same Enactments, Provisions,
Pains, Penalties, and Forfeitures, as other Licence Duties
under the Collection and Management of the Commissioners
of Excise are raised, recovered, paid, and accounted for.

Licence to
be in such
Form as
the Com-
missioners
of Excise
direct, and
to be
granted by
the Officers
of Excise.

XI. And be it enacted, That every such Licence shall be in
such Form and shall contain such Particulars as the Commis-
sioners of Excise may direct, and shall be signed, granted, and
issued by the proper Officers of Excise duly authorized to grant
Licences; and every such Licence shall continue in force from
the Day of the Date thereof until the Fifth Day of *July* follow-
ing, on which Day every such Licence shall expire, and shall
be renewed if the same Business is carried on; and all the
Enactments, Provisions, Pains, Penalties, and Forfeitures con-
tained in the said recited Act of the Sixth Year of the Reign
aforesaid shall apply to and be in force in respect of the said
additional Licence in the same Manner as if the same had been
one of the Licences originally included in that Act.

Every
Dealer and
Retailer to
provide a
Book for
entering
therein the
Particulars
of Spirits
received

XII. And be it enacted, That every Dealer in or Retailer
of Spirits shall provide himself with a Book prepared according
to a Pattern to be given to him on his Application for it to the
proper Officer of Excise in whose Division or Ride the Premises
of such Dealer or Retailer are situated; and every such Dealer
or Retailer shall, on the same Day on which he receives any
Spirits into his Stock, Custody, or Possession, or at such Time
on that Day as he is requested to do so by any Officer of

Excise

Excise authorized to take an Account of his Stock, write and enter in such Book, and in the proper Columns prepared for such Purposes respectively, the Date when, and the Christian and Surname of the Person or the Name of the Firm from whom, and of what Place, such Spirits were received, the Number of Gallons, and the Kind or Quality of such Spirits, and the Strength thereof; and every such Dealer or Retailer shall also, on the same Day on which he sends out of his Stock, Custody, or Possession any Spirits in a Quantity requiring a Certificate as after mentioned, or at such Time afterwards as aforesaid, write and enter in like Manner in the said Book the Day when sent, and the Christian and Surname of the Person or the Name of the Firm, and of what Place, to whom such Spirits are sent, the Number of Gallons, and the Kind or Quality of such Spirits, and the Strength thereof; and every such Book shall at all Times be kept in some public and open Place of the entered Premises of such Dealer in or Retailer of Spirits for the Inspection of such Officers of Excise as aforesaid, and every such Officer of Excise may examine such Book, and take any Extract therefrom; and every such Book, after it has been filled up as aforesaid, shall be preserved by the Dealer or Retailer by whom the same has been filled up for a Period of not less than Twelve Months, and during such Time shall be produced by such Dealer or Retailer to every such Officer of Excise demanding the same; and if any Dealer in or Retailer of Spirits refuses or neglects to provide any such Book, or to make or cause to be made due Entries therein as aforesaid, according to the true Intent and Meaning of this Act, or fraudulently cancels, alters, obliterates, or destroys any Part of such Book or any Entry therein, or makes any false Entry therein, or hinders or obstructs any such Officer of Excise from or in examining such Book, or making any Minute therein, or taking any Extract therefrom, or if any such Book is not preserved or is not produced by such Dealer or Retailer as herein-before directed, every such Dealer or Retailer shall for every such Offence incur the Penalty of One hundred Pounds.

XIII. And be it enacted, That a Certificate Book, prepared with proper Printed Forms for such Purposes as herein-after mentioned, shall be delivered by the proper Officer of Excise to every Dealer in and to every Retailer of Spirits who requests the same, in Writing, of such Officer; and every such Dealer or Retailer, on Receipt of such Book, shall acknowledge the same in Writing, under such Request as aforesaid, or as the Commissioners of Excise may direct; and no Spirits whatever shall be sold, sent out, or delivered from the Stock, Custody, or Possession of any Dealer in Spirits, and no Spirits exceeding the

and sent
out by
him.

All Spirits
sold by
Dealers to
be accom-
panied by
a Certifi-
cate, and
so also by
Retailers
when the
Quantity
exceeds
One Gal-
lon.

the Quantity of One Gallon of Spirits of the same Denomination at a Time, for the same Person, shall be sold, sent out, or delivered from the Stock, Custody, or Possession of any Retailer of Spirits, without a Certificate filled up, and cut out progressively from the printed Forms contained in such Book, and signed by the Dealer or Retailer selling, sending out, or delivering such Spirits, or by some Person on his Behalf, with the Addition to his Signature of his Occupation (whether Dealer or Retailer), certifying the Person from whom, the Place from whence, the Day and Hour of the Day when sent out or delivered, the Number of Casks or other Packages in which such Spirits are sent out, the Number of Gallons and Kind or Quality and Strength of such Spirits, the Christian and Surname of the Person or the Name of the Firm to whom sold, and the Place to which, and the Conveyance by which the same are to be sent; and every such Dealer or Retailer, before such Certificate is cut from its Counterpart, shall make a corresponding Entry in such Counterpart of the same Particulars as are stated in the Certificate, and every such Certificate shall accompany such Spirits on the removal thereof, and shall be delivered to the Person to whom such Spirits are sold, sent out, or delivered; and every Dealer in or Retailer of Spirits shall keep the said Certificate Book in some public and open Part of his entered Premises for the Inspection of the Officers of Excise; and when such Certificate Book is completely used by filling up the same as aforesaid, or when demanded by the proper Officer, every such Dealer or Retailer shall return the same to the proper Officer of Excise, who shall give a Receipt for the same, and if requested as aforesaid, shall thereupon deliver to him a new Certificate Book, to be acknowledged and kept by him as aforesaid; and every Dealer in Spirits who sells, sends out, or delivers any Spirits without such Certificate as aforesaid, and every Retailer of Spirits who sells or sends out any Spirits exceeding the Quantity of One Gallon of Spirits of the same Denomination at a Time, for the same Person, without such Certificate as aforesaid, and every Dealer in or Retailer of Spirits who does not make a corresponding Entry in the Counterpart of such Certificate as aforesaid, or who does not keep or return such Book as aforesaid, or who hinders or obstructs any Officer of Excise in examining such Book, or making any Minute therein or Extract therefrom, or who fraudulently cancels, alters, obliterates, or destroys any Part of such Book, or any Entry therein, or who makes any false Entry therein, shall for every such Offence incur the Penalty of One hundred Pounds, and all Spirits sent out or delivered as aforesaid without such Certificate shall be
forfeited:

forfeited : Provided always, that no such Penalty or Forfeiture shall be incurred for or by reason of the Strength of the Spirits not agreeing with the Certificate accompanying the same, if the Strength of the Spirits is not more than One *per Centum* above or Two *per Centum* below the Strength of the Spirits expressed in such Certificate.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall be deemed or construed to require any licensed Dealer in Spirits taking out such additional Licence to retail Foreign Liqueurs as in this Act mentioned to send out or deliver such Foreign Liqueurs with such Certificate as aforesaid, if the Quantity of Foreign Liqueurs so sent out does not at any one Time exceed the Quantity of One Gallon, and such Liqueurs are not sent to the Stock of any Dealer in or Retailer of Spirits.

Proviso that Dealers in Spirits under additional Licence may send out in Quantities not exceeding One Gallon without Certificate.

XV. And be it enacted, That if any Dealer in or Retailer of Spirits fills up and cuts out from any Certificate Book delivered to him as aforesaid any Certificate as for the Removal of Spirits from his own Stock, and sells, lends, delivers, employs, or makes use of such Certificate, or causes or suffers such Certificate to be sold, lent, delivered, employed, or made use of, for any other Purpose whatsoever than to accompany the actual Removal and Delivery of such Spirits as are therein expressed, or sells, lends, or delivers any Certificate cut out from such Book as aforesaid, but not filled up, to any Person whatever, or if any Dealer in or Retailer of Spirits, or any other Person, buys, borrows, or receives any Certificate, whether filled up or not, and uses the same, so that any Account of Spirits kept or checked by any Officer of Excise, or any Examination of Spirits by any Officer authorized to demand the Production of the Certificate accompanying such Spirits, is or may be frustrated and evaded, then and in every such Case every such Dealer or Retailer or other Person so offending shall for every such Offence forfeit the Sum of Five hundred Pounds; and every Person having any Licence to deal in, retail, or sell Spirits shall, upon being convicted of any such Offence as aforesaid, forfeit every such Licence, and no new Excise Licence shall be granted to such Person so convicted for the Remainder of the current Year of any Licence so forfeited.

Penalty for using Certificate for any Purpose other than the due Removal of Spirits.

XVI. And be it enacted, That no Dealer in or Retailer of Spirits shall receive any Spirits which are not accompanied by a true and lawful Permit or Certificate as the same are respectively by this Act or by any other Act or Acts of Parliament required; and immediately on receiving any such Permit or Certificate every such Dealer or Retailer shall cancel the same by writing in large Letters in Ink across such Permit or Certificate,

No Dealer or Retailer to receive any Spirits without Permit or Certificate, and the same to be cancelled

on Receipt
thereof.

ficate, or in the Space prepared for that Purpose, the Word "Received," and the Day and Hour when received, or shall otherwise permanently cancel such Permit or Certificate by Lines drawn in Ink across the same, so as to prevent its being again used for the Removal of Spirits; and every Dealer in or Retailer of Spirits who receives any Spirits without the same being accompanied by a true and lawful Permit or Certificate as by this Act or any other Act or Acts of Parliament required shall incur the Penalty of One hundred Pounds; and all such Spirits, or an equal Quantity of Spirits of a like Kind, to be taken out of any Part of his Stock, shall be forfeited; and every Dealer in and Retailer of Spirits receiving any such Permit or Certificate as aforesaid who does not cancel the same as aforesaid shall incur the Penalty of Fifty Pounds.

Permits
and Certi-
ficates to
be deliver-
ed to the
Officer.

XVII. And be it enacted, That all Permits and Certificates received with any Spirits by any Dealer in or Retailer of Spirits shall be preserved after being cancelled as aforesaid, and delivered by such Dealer or Retailer to the Officer of Excise who first inspects his Premises after the Receipt thereof; and if any Dealer in or Retailer of Spirits receives any Permit or Certificate with Spirits, and does not preserve or deliver the same to such Officer as aforesaid, he shall incur the Penalty of Fifty Pounds for every such Permit or Certificate: Provided always, that no such Penalty shall be incurred if the Permit or Certificate has been lost or destroyed after the Expiry of Three Months from the Date thereof.

Commis-
sioners to
provide
Plates and
Types for
printing
Certi-
ficates on
Paper used
for Per-
mits.
2 & 3 W. 4.
c. 16.

XVIII. And be it enacted, That the Certificate Book, prepared with proper printed Forms of Certificates, which by this Act is directed to be delivered by the proper Officer of Excise to every Dealer in and to every Retailer of Spirits who requests the same in Writing of such Officer, shall be printed on Paper provided under and by virtue of an Act passed in the Second Year of His late Majesty King William the Fourth, intituled *An Act to consolidate and amend the Laws regulating the granting and issuing of Permits for the Removal of Goods under the Laws of Excise*, to be used in *Great Britain and Ireland* for Permits, under and subject to the same Enactments, Rules, Regulations, Exceptions, Pains, and Penalties as is or are in the said Act contained for or in respect of the same Paper when used by the Commissioners of Excise for Permits; and the said Commissioners shall cause to be provided Plates engraved with such Marks, Stamps, Numbers, or Devices, which they may afterwards alter, as to them seems meet, and shall also cause to be provided Types cast in any particular Form that they think proper for the printing, stamping, and marking the said Paper for such Certificates; and the said
Plates

Plates shall be engraven and Types cast by such Person or Persons as the said Commissioners for that Purpose authorize or appoint, and the said Plates so engraven, and the Types so cast, shall be kept by such Officer or other Person as the said Commissioners authorize or appoint; and every Person not being so authorized or appointed by the said Commissioners who engraves, casts, cuts, or makes, or causes or procures to be engraven, cast, cut, or made, or aids or assists in engraving, casting, cutting, or making, any Plate or Type made or used by the Direction of the said Commissioners for the Purpose of marking or printing the Paper to be used for Certificates, and every Person (except as aforesaid) who knowingly has in his Custody or Possession, without lawful Excuse (the Proof whereof shall lie on the Person accused), any such Plate or Type, shall for every such Offence be adjudged guilty of the like Offence, and shall suffer Punishment accordingly, as by the said Act of the Second Year of the Reign of His Majesty King *William* the Fourth is provided for and enacted in respect of any Person adjudged guilty of a similar Offence for and in respect of the Plates or Types provided by the said Commissioners for the printing of Permits; and every Person who counterfeits or forges, or causes or procures to be counterfeited or forged, or assists in counterfeiting or forging, any such Certificate as aforesaid, or any Part of any such Certificate, or counterfeits any Impression, Mark, or Stamp, Number or Device, provided or appointed by the said Commissioners to be put on such Certificate, or who utters, gives, or makes use of any counterfeited or forged Certificate, knowing the same or any Part thereof to be counterfeited or forged, or who utters, gives, or makes use of any such Certificate with any such counterfeited Impression, Mark, or Stamp, Number or Device, knowing the same to be counterfeited, and every Person who knowingly or willingly accepts or receives any counterfeited or forged Certificate, or any Certificate with any such counterfeited Impression, Mark, or Stamp, Number or Device thereon, knowing the same to be counterfeited, shall for every such Offence be adjudged guilty of the like Offence, and shall suffer Punishment accordingly, as by the said Act of the Second Year of the Reign of His Majesty King *William* the Fourth is provided for and enacted in respect of every Person adjudged guilty of a similar Offence for and in respect of the Plates or Types provided by the said Commissioners for the printing of Permits: Provided always, that it shall be lawful for the said Commissioners to cause the Paper to be used for the printing of Permits under the said Act of the Second Year of the Reign aforesaid, or to be used for the printing

Unauthor-
ized Per-
sons coun-
terfeiting
or having
counterfeit
Plates or
Types or
Impres-
sions to be
subject
to like
Punish-
ment as in
recited
Act.

printing of Certificates under this Act, to be made of such Quality or Texture, or with such Letters, Figures, Marks, or Devices visible in the Substance of such Paper, as the said Commissioners may direct, without such Paper having the Words "Excise Office" visible in the Substance thereof; and all Paper so made and used shall be subject to the same Enactments, Rules, Regulations, Exceptions, Pains, and Penalties as is or are contained in the said recited Act for and in respect of the Paper to be provided as directed by that Act.

Bulk not
to be
broken
until One
Hour after
Receipt of
Spirits.

XIX. And be it enacted, That no Dealer in or Retailer of Spirits receiving any Spirits in any less Quantity than a Cask containing Fifty Gallons shall break bulk or draw off any Part thereof, or add any Water or anything thereto, or in any respect alter the same, or tap any of the Casks so received, or alter or change any of the Packages containing any Spirits, or the Spirits therein removed, until One Hour after such Spirits have been received by him, under pain of forfeiting such Spirits and the Penalty of Fifty Pounds.

Stock may
be taken
by Super-
visor, and
Excess for-
feited.

XX. And be it enacted, That any Officer of Excise of not less Rank than a Supervisor of Excise may at any Time take or cause to be taken by any other Officer of Excise in his Presence an Account of the Quantity of all Spirits in the Stock, Custody, or Possession of any Dealer in or Retailer of Spirits; and if it be found that the Quantity of Spirits remaining in the Stock, Custody, or Possession of such Dealer or Retailer exceeds the Quantity which appears to the Credit of such Dealer or Retailer on balancing the Book by this Act before directed to be kept by him of all Spirits received into and sent out of his Stock, Custody, or Possession, (such Spirits, and all Spirits entered in such Book, and all Spirits in the Stock of such Dealer or Retailer, being for that Purpose computed at Proof,) such Excess shall be deemed and taken to be Spirits illegally received; and a Quantity of Spirits equal to such Excess may be seized out of any Part of the Stock of such Dealer or Retailer by any Officer of Excise; and the Dealer or Retailer in whose Stock, Custody, or Possession such Excess is found shall forfeit the Penalty of Twenty Shillings for every Gallon of such Excess; and every Dealer in or Retailer of Spirits who does not, when required by any Officer of Excise authorized to take an Account of his Stock, by a sufficient Number of his Servants aid and assist such Officer in taking such Account as aforesaid, shall incur the Penalty of Fifty Pounds: Provided always, that it shall be lawful for any Officer of Excise, without the Presence of such Supervisor, to enter into any Part of the entered Premises of any Dealer in or Retailer of Spirits, and to
examine

examine and take Samples of any Spirits in the Stock, Custody, or Possession of such Dealer or Retailer, paying for such Samples the usual Price thereof.

XXI. And be it enacted, That when any Person is licensed as a Dealer in Spirits and also as a Rectifier of Spirits at the same Time, and in the same or in any adjoining Premises, such Person shall not be surveyed as a Dealer in Spirits under this Act, except with the Consent of the Commissioners of Excise, and under and subject to such further Rules and Regulations as they may in that Behalf appoint; and the Account of all Spirits in the Stock, Custody, or Possession of any such Person, except as aforesaid, whether in the Premises entered by him as a Dealer in Spirits, or in the Premises entered by him as a Rectifier of Spirits, shall be kept as the Stock of a Rectifier of Spirits, and taken account of by any Officer of Excise; and all Spirits sold or sent out from any Part of such Stock, whether from the one Premises or the other, shall be sent out as by a Rectifier of Spirits, and by Permit, under and subject to the Provisions and Enactments, Pains, Penalties, and Forfeitures, now by Law applicable to Rectifiers of Spirits and to Spirits sent out from the Stock, Custody, or Possession of a Rectifier of Spirits, anything in this or in any other Act or Acts of Parliament to the contrary thereof notwithstanding.

Persons licensed as Dealers and Rectifiers of Spirits on the same or adjoining Premises to be surveyed as Rectifiers.

XXII. And be it enacted, That if any Dealer in or Retailer of Spirits receives or buys, or procures or employs any Person to receive or buy, any Spirits from any Person or Persons whomsoever, except a licensed Distiller, Rectifier, or Compounder of Spirits, or a licensed Dealer in or Retailer of Spirits, whose Name is painted over the outward Door of his entered Premises in the Manner required by the said Act of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, or at some public Sale of Spirits sold under the Direction of the Commissioners of Excise or Customs, every such Dealer or Retailer so offending shall incur the Penalty of Five hundred Pounds: Provided always, that no such Penalty shall be incurred for or by reason of any such Dealer or Retailer receiving or buying any Foreign or Colonial Spirits from the proper Warehouse of the Customs in which the same have been deposited, on the due Importation thereof, or receiving or buying any *British* Spirits from any Warehouse of Excise in which the same have been deposited before Payment of Duty, or whilst the same are lying openly on the Quays on which such last-mentioned Spirits have been lawfully landed on due Removal thereof from one Part of the United Kingdom to another, and from a licensed Dealer in such last-mentioned Spirits.

No Spirits to be purchased except from licensed Traders.

XXIII. And

Strength
at which
British
Spirits
may be
kept and
sent out of
Stock.

XXIII. And be it enacted, That no Dealer in or Retailer of Spirits shall receive or keep in or send out from his Stock, Custody, or Possession, any *British* Spirits, except Spirits of Wine, of any Strength exceeding the Strength at which licensed Distillers and Rectifiers of Spirits can send out Spirits of the like Denomination from their Stock, Custody, or Possession, or any Spirits of Wine of any less Strength than the Strength of Forty-three *per Centum* above Hydrometer Proof, on pain of forfeiting all Spirits, and the Casks and Packages containing the same, received, kept, or sent out contrary hereto.

All Spirits
exceeding
One Gal-
lon to be
removed
by Permit
or Certifi-
cate, other-
wise
Penalty
and For-
feiture.

XXIV. And be it enacted, That no Spirits of any Kind whatever exceeding the Quantity of One Gallon of Spirits at a Time, of the same Denomination, for the same Person, shall be removed from any one Part or Place in the United Kingdom to any other Part or Place thereof, without a true and lawful Certificate of the proper Officer of Customs, if the Spirits be removed from a Customs Warehouse, (unless the same be under Bond on Removal from one such Warehouse to another Warehouse,) or without a true and lawful Certificate from a Dealer in or Retailer of Spirits, if the Spirits be removed from the Stock of such Trader, or without a true and lawful Permit if the Spirits be removed from the Stock, Custody, or Possession of any other Person, or from any Excise Warehouse; and all such Spirits found removing or removed without such Permit or Certificate accompanying or having accompanied the same on the last Removal thereof (unless the same be under Bond as aforesaid) shall be forfeited; and every Person in whose Custody or Possession the same are found shall incur the Penalty of One hundred Pounds, or Treble the Value of such Spirits, at the Election of the Commissioners of Excise or Customs.

Persons
removing
Spirits in
any Quan-
tity ex-
ceeding
One Gal-
lon in any
Part of the
United
Kingdom,
and refus-
ing to pro-
duce a pro-
per Permit
or Certifi-
cate, may
be arrest-
ed, con

XXV. And be it enacted, That any Officer of Excise or Customs, or of the Revenue Police in *Ireland*, and any Officer of the Peace, having a Commission from the Commissioners of Excise, may stop or detain any Person or Persons found carrying or removing any Spirits in any Part of the United Kingdom, and may demand the Production of the Permit or Certificate accompanying such Spirits, and such Officer may indorse on such Permit or Certificate the Time, Hour, and Place of such Examination; and if any Spirits exceeding the Quantity of One Gallon of Spirits of the same Denomination at a Time for the same Person are found removing without a true and lawful Permit or Certificate accompanying the same, or if any Person found removing Spirits in such Quantity and in such Circumstances as by Law render it necessary that such
Spirits

Spirits should be accompanied by a Permit or Certificate refuses to produce such Permit or Certificate immediately on the Production thereof being demanded as aforesaid, every such Person so offending shall incur the Penalty of One hundred Pounds; and every such Officer is authorized and required to arrest and detain every such Person, and to convey him before One or more of Her Majesty's Justices of the Peace residing near to the Place where such Person is arrested; and every such Justice or Justices is and are hereby authorized and required to hear and determine, as soon afterwards as practicable, the Charge against any Person so arrested, and on the Confession of such Person, or on Proof upon Oath by One or more credible Witness or Witnesses (which Oath such Justice or Justices of the Peace is and are hereby authorized to administer), to convict every such Person in such Penalty as aforesaid; and no such Penalty shall be mitigated by any such Justice below the Sum of Ten Pounds; and every Person so convicted shall immediately on such Conviction pay down into the Hands of such Officer, or (if an Officer of the Peace) into the Hands of the Clerk of such Justice or Justices, for the Order and Direction of the Commissioners of Excise, the said Penalty; and if any Person so convicted does not forthwith pay down such Penalty, such Justice or Justices is and are hereby required, by Warrant under His or their Hand and Seal, to commit such Person to any Gaol or Prison of the County, there to be kept to hard Labour for the Space of not exceeding Six Calendar Months nor less than One Calendar Month, unless such Penalty is sooner paid.

victed, and on Non-payment of the Penalty imprisoned for not more than Six or less than Three Calendar Months.

XXVI. And be it enacted, That all Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures in any Act or Acts of Parliament relating to the Revenue of Excise which are applicable to this Act, and are not expressly provided for therein, and are not repugnant to or inconsistent with any of the Provisions thereof, shall be enforced, used, and applied to and for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if such Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures had been particularly repeated and re-enacted in this Act.

Former Provisions and Penalties of Excise not inconsistent herewith applied to this Act.

XXVII. And be it enacted, That all Penalties and Forfeitures by this Act imposed or incurred shall be prosecuted, sued for, recovered, and applied as any other Penalties and Forfeitures incurred under or by virtue of the Acts of Parliament relating to the Revenue of Excise, and as by this Act afterwards directed respecting the Distribution of such Penalties and Forfeitures.

Penalties and Forfeitures of this Act recoverable under the Laws of Excise.

XXVIII. And

Officer of
Excise to
have no
Interest in
Penalties
or For-
feitures
under any
Law of
Excise.

XXVIII. And whereas Penalties and Forfeitures incurred under or by virtue of the Acts of Parliament relating to the Revenue of Excise are, after Deduction therefrom of all Costs and Expenses relating thereto, directed to be distributed in One Moiety, or Part, or in the whole, to the Officer or Officers of Excise or the Person or Persons who discovers, informs, or sues for the same: Be it enacted, That no Part of any Penalty or Forfeiture incurred under or by virtue of any Act of Parliament relating to the Revenue of Excise to be hereafter recovered shall be distributed or paid to any Officer or Officers of Excise, but all (if any) Parts of such Penalty or Forfeiture which would have been payable to any Officer of Excise if this Act had not been passed shall be deemed and taken to have been recovered to the Use of Her Majesty, Her Heirs or Successors.

Com-
mence-
ment of
Act.

XXIX. And be it enacted, That this Act shall commence and take effect from and after the Tenth Day of *October* One thousand eight hundred and forty-eight.

Act may
be amend-
ed, &c.

XXX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. CXXII.

An Act to amend the Laws respecting the Warehousing of British Spirits in England, Scotland, and Ireland respectively, and to permit Spirits made from Malt only, and Spirits made from Malt and other Grain, and Rectified Spirits, to be exported on Drawback from any Part of the United Kingdom; and respecting certain Spirit Mixtures, and the Removal of Goods subject to Excise Regulations from Customs Warehouse.—[4th September 1848.]

6 G. 4 c.
80.

WHEREAS by an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to repeal the Duties payable in respect of Spirits distilled in England, and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof, and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the Warehousing of such Spirits, without Payment of Duty for Exportation*, every Distiller in England is permitted to warehouse for Exportation only, or for Removal to Scotland or Ireland, any Spirits distilled in the Distillery of such Distiller, without Payment of the Duty of Excise thereon, according to the Provisions of the said Act, and of an Act of
the

the Sixth and Seventh Years of the Reign of His Majesty King William the Fourth, intituled *An Act to impose countervailing Duties of Excise on Mixtures, Compounds, Preparations, and Commodities made from or with Spirits removed from Ireland to England, or Scotland, or from Scotland to England, and to grant countervailing Drawbacks on the Removal of the same, to repeal the additional Duties of Excise on Licences to Retailers of Spirits in the United Kingdom, and to alter the Laws relating to Distillers and Retailers of Spirits*, and under and subject to such further Rules and Regulations as the Commissioners of Excise may from Time to Time order or direct: And whereas it is expedient to extend the same Provisions to the warehousing of such Spirits for Home Consumption in *England* as it is now permitted to be done by Law in *Scotland* and *Ireland*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act every licensed Distiller in *England* may warehouse for Home Consumption any Spirits distilled in the Distillery of such Distiller without Payment of the Duty of Excise charged thereon, according to the Provisions of the said Acts, and of this Act, and under and subject to the Payment of the full Duty of Excise payable on *British* Spirits distilled in *England* before any such Spirits are delivered out of any such Warehouse for Consumption in *England*, in like Manner as such Duty is directed to be paid by the said Act of the Sixth Year of the Reign of His said Majesty *George* the Fourth before any such Spirits are delivered out of any such Warehouse for Removal for Consumption in *Scotland* or *Ireland*, and under and subject to such other Rules and Regulations as the Commissioners of Excise may make in that respect.

Power for
licensed
Distillers
in *England*
to ware-
house Spi-
rits for
Home Con-
sumption,
without
Payment
of the Duty
till deliv-
ered out.

II. And be it enacted, That all Spirits distilled and warehoused without Payment of Duty in any Warehouse approved of by the Commissioners of Excise in any one Part of the United Kingdom under the Provisions, Enactments, Rules, and Regulations in force in such respect may, at the Desire and Risk of the Distiller thereof, and on Payment of the Duties on all Deficiencies found before the Removal thereof, (or if such Warehouse be a general Warehouse as herein-after described, and the Spirits have been transferred therein from the Distiller to a Purchaser as after mentioned, then at the Desire and Risk of such Proprietor, and upon Payment of the Duties on all Deficiencies found in the Spirits so transferred before the Removal thereof,) be removed for Home Consumption, or for Exportation, or for the Purpose of being shipped

Spirits
ware-
housed in
one Part of
the United
Kingdom
may be re-
moved to
another
upon Pay-
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Duties for
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for Home
Consump-
tion, for
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tion, or for
Ship's
Stores.

as Stores, under such Security and Regulations as the Commissioners of Excise from Time to Time order or direct in respect thereof, from the Warehouse in which the same are warehoused to any other Warehouse approved of by the Commissioners of Excise in any other Part or Place of the United Kingdom, there to be warehoused in the Name of the Distiller thereof, or of the Proprietor thereof, if transferred as aforesaid, any thing in any other Act or Acts to the contrary thereof in anywise notwithstanding; and all such Spirits, when so removed and rewarehoused, shall be dealt with in all respects as if the same had been distilled in the Country to which the same are removed.

Commis-
sioners of
Excise
may ap-
point gene-
ral Ware-
houses
under
Bond, in
which any
Distiller
may ware-
house Bri-
tish Spirits.

III. And be it enacted, That the Commissioners of Excise may appoint any general Warehouse or Warehouses in any Part or Place of the United Kingdom, for the Deposit therein of *British* Spirits warehoused without Payment of Duty for Home Consumption, or for Exportation, or for Use as Ships Stores, under such Security by Bond from the Proprietor or Tenant of such Warehouse, for the Payment of the Duties on all Spirits to be deposited therein, in such penal Sum and subject to such Condition and with One or more sufficient Sureties as the said Commissioners may require, and under such other Rules and Regulations as the said Commissioners may make in that respect; and every licensed Distiller of any *British* Spirits may, under the Laws and Regulations in that respect, warehouse without Payment of Duty any Spirits distilled and removed by him either direct from his Distillery or from any other Warehouse in any such general Warehouse for all or any of the Purposes aforesaid, there to be entered and deposited by such Distiller in his Name in a Book to be kept by the proper Officer of Excise in charge of such Warehouse, in such Manner and Form as the Commissioners of Excise may direct; and the said Commissioners may at any Time revoke their Approval of any such Warehouse, in which Case all Spirits then deposited in any such Warehouse shall be removed therefrom as directed by the said Commissioners, and no other *British* Spirits shall be warehoused therein as aforesaid.

Spirits de-
posited in
a general
Ware-
house may
be trans-
ferred on
Notice and
Sale from
the Distil-
ler to a
Purchaser,

IV. And be it enacted, That any Distiller of any Spirits distilled and warehoused by him in any such general Warehouse, and there entered and deposited in his Name as aforesaid, may sell and transfer the same to a Purchaser in such Warehouse, upon giving Six Days Notice in Writing of his Intention so to do to the Collector of Excise, in whose Collection the Distillery of such Distiller is situated; and upon due Notice being given as aforesaid, and no Objection made to such Sale and Transfer by the Collector, or by any Person

on

on behalf of the Commissioners of Excise, within such Six Days, it shall be lawful for such Distiller to complete the Sale by entering into a written Agreement of Sale, to be duly signed by the Parties, or by a written Contract of Sale, made, executed, and delivered by a Broker or other Person legally authorized for or on behalf of the Parties respectively; and the Officer of Excise in charge of such Warehouse shall thereupon forthwith transfer and enter the Spirits so sold and deposited in the name of the Distiller to the Name of the Purchaser in the Book kept by such Officer for that purpose as aforesaid, in such Manner and Form as the Commissioners of Excise may direct; and all such Spirits shall, from and after such Transfer, be discharged and released from all Claim for or in respect of any Duties, Penalties, or Forfeitures to which the Distiller by whom such Sale has been made is liable, any thing in this or in any other Act of Parliament to the contrary thereof notwithstanding: Provided always, that no such Spirits shall be delivered out of any such Warehouse for Home Consumption until payment of the full Duties of Excise chargeable thereon, nor shall any such Spirits be removed from such Warehouse for any Purpose until such Duties are charged and paid on all Deficiencies found therein before the Removal thereof.

and there entered, and kept in Name of Purchaser, who shall be liable to the Duty.

Spirits not to be delivered out till Duty paid on all Deficiencies, &c.

V. And be it enacted, That if after any Spirits duly removed under the Provisions of this Act, and the Laws and Regulations in such respect, from a Warehouse in *England, Scotland, or Ireland*, to be deposited in another Warehouse without Payment of Duty in some other Part of the said Three Parts of the United Kingdom, have been duly entered and landed, and before the same have been actually deposited in such last-mentioned Warehouse, the Distiller or Proprietor makes a further Entry of such Spirits, or of some Portion or Part thereof, not being less than a whole Cask, for Removal for Home Consumption, or to another Warehouse than such last-mentioned Warehouse, or for Exportation, or for the Purpose of being used as Ships Stores, the Spirits of which such further Entry is made shall be considered as virtually and constructively warehoused, in such last-mentioned Warehouse, although not actually deposited therein, and may be delivered and permitted to be removed for Home Consumption, or to another Warehouse, or for Exportation, or for the Purpose of being used as Ships Stores, as if the same had been delivered from Warehouse.

Distiller, or Proprietor of Spirits removed from Warehouse in one Part of the United Kingdom to another may make fresh Entry of the same after landing.

VI. And be it enacted, That it shall be lawful for the Commissioners of Excise to remit the Duties payable or paid

Commissioners of Excise

on

may remit
Duties on
Spirits lost
from un-
avoidable
Accident
on Ship-
board, or
in shipping
or landing
or remov-
ing into or
out of
Ware-
house.

4 G. 4. c.
94.

on the whole or any Portion of any *British* Spirits which are or have been deposited in any Warehouse approved of by them, and which are lost or destroyed by unavoidable Accident occurring on Shipboard, or in the shipping or landing of the same, or while such Spirits are deposited in such Warehouse, or in the Act of being received into or delivered out from such Warehouse. on Proof of such Loss or Destruction being given to the Satisfaction of the said Commissioners.

VII. And whereas by an Act passed in the Fourth Year of the Reign of His said Majesty King *George* the Fourth, intituled *An Act to grant certain Duties of Excise upon Spirits distilled from Corn or Grain in Scotland and Ireland, and upon Licences for Stills for making such Spirits, and to provide for the better collecting and securing such Duties, and for the warehousing of such Spirits without payment of Duty*, it is provided and enacted, "that any Spirits which under
" the Provisions in this Act contained shall be made from
" Malt only, unmixed with any unmalted Corn or Grain,
" and on which the Allowance of one Shilling for every
" Gallon thereof shall be made in respect of the Duty on
" such Malt, shall be stored and deposited in some Store or
" Place separate and apart from any other Spirits which
" shall be warehoused under this Act, and subject to and
" under such Rules and Regulations as shall be made by the
" Commissioners of Excise with respect to such Spirits, and
" that no such Spirits so made from Malt only, and on
" which such Allowance of One Shilling *per* Gallon shall
" have been made, shall be taken out of any such Ware-
" house, Store, or Place for Exportation to *England* until
" the Allowance so made shall have been repaid by the
" Proprietor or Exporter of such Spirits:" And whereas by the said Act of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, it is provided and enacted, "that no Spirits which shall be or shall have been made
" or distilled in *Scotland* or *Ireland* respectively, from unmalted
" Corn or Grain, mixed or unmixed with Malt, shall be
" taken out of any Warehouse, Store, or Place for removal
" to *England* unless such Spirits were made and warehoused
" by some Distiller having at the Time when such Spirits
" were so made and warehoused no Spirits made from Malt
" only, or on which any Allowance shall be or shall have been
" made in respect of the Duty on such Malt, in his or her
" Stock or Possession, or in such Warehouse, and which shall
" be so certified by the proper Officer at the Time of ware-
" housing, and also at the Delivery thereof, nor shall any
" Spirits

6 G. 4. c.
80.

“Spirits made or distilled in *Scotland* or *Ireland* from Malt only, or in respect of which any Allowance as aforesaid has been or shall be made, paid, or received, be removed to *England* until the Allowance so made shall have been repaid by the Proprietor of such Spirits to the Commissioners of Excise, or such Person as they shall order or direct to receive the same; and if any Person or Persons shall take out of any Warehouse, Store, or Place any Spirits made from unmalted Corn or Grain, mixed or unmixed with Malt, for such Removal, which were not made and warehoused by such Distiller as aforesaid, and shall not be so certified as aforesaid, or shall remove any Spirits made from Malt only, or in which any such Allowance as aforesaid has been made or shall be made as aforesaid, to *England* without first repaying such Allowance thereon as aforesaid, all such Spirits shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and every Person so offending shall for every such Offence forfeit and lose the Sum of Twenty Shillings *per* Gallon for every Gallon of such Spirits so taken out or removed, or One hundred Pounds, at the Election of the Commissioners of Excise or Person who shall inform or sue for the same:” And whereas by an Act passed in the Second Year of the Reign of His said Majesty King *William* the Fourth, intituled *An Act to reduce the Allowance on Spirits made from Malt only in Scotland and Ireland*, such Allowance is reduced to Eight-pence for and upon every Gallon of Spirits at the Strength of Hydrometer Proof distilled from malted Corn only in *Scotland* or *Ireland*: And whereas by an Act passed in the Second Session of the Fifth Year of the Reign of Her Majesty, intituled *An Act to impose an additional Duty on Spirits, and to repeal the Allowance on Spirits made from Malt only in Ireland*, it is enacted, “that no Spirits distilled in *Scotland* from unmalted Corn or Grain, mixed or unmixed with Malt, shall be taken out of any Warehouse for Removal to *Ireland* unless such Spirits were distilled and warehoused by some Distiller not having at the Time when such Spirits were distilled and warehoused any Spirits made from Malt only, or on which any allowance shall be or shall have been made in respect of the Duty on Malt in his Stock or Possession, or in such Warehouse, and which shall be so certified by the proper Officer at the Time of warehousing and also at the Delivery thereof, nor shall any Spirits made from Malt only, or in respect of which any Allowance as aforesaid has been or shall be made, paid, or received, be taken out of Warehouse in *Scotland* for Removal to *Ireland* until the Allowance so made

2 & 3 W.

4. c. 29.

5 & 6 Vict.

c. 15.

So much of recited Acts as requires Repayment of the Allowance on Malt Spirits removed from Scotland to England or Ireland repealed.

Malt Spirits may be removed from Warehouse in Scotland, in which the same has been warehoused without Payment of Duty, for Removal for Consumption in England, on Payment of the full English Duty, and Repayment of the Allowance. Spirits made from

“ made shall have been repaid by the Distiller to the Commissioners of Excise, or such Person as they shall order or direct to receive the same; and every Person who shall take out of any Warehouse in *Scotland* any Spirits made from unmalted Corn or Grain, mixed or unmixed with Malt, for Removal to *Ireland* which were not made and warehoused by such Distiller as aforesaid, and shall not be so certified as aforesaid, or shall take out of Warehouse for Removal, or remove, any Spirits made from Malt only, or on which any such Allowance as aforesaid has been made or shall be made, to *Ireland* without first repaying such Allowance thereon as aforesaid, shall forfeit Twenty Shillings *per* Gallon for every Gallon of such Spirits so taken out or removed, or One hundred Pounds, at the Election of the Commissioners of Excise, and all such Spirits shall also be “ forfeited:” Be it enacted, That so much of the before-recited Acts as requires that no Spirits made or distilled from Malt only, or in respect of which any Allowance as aforesaid has been made, paid, or received, shall be taken out of the Warehouse in *Scotland* for Exportation or Removal to *England* or *Ireland* until the Allowance so made has been repaid by the Distiller, Proprietor, or Exporter of such Spirits to the Commissioners of Excise, or such Person as they order or direct to receive the same, shall be repealed, and the same is and are hereby repealed accordingly.

VIII. And be it enacted, That Spirits which, under the Provisions of the Acts in force in such respect, have been distilled in *Scotland* from Malt only, unmixed with any unmalted Corn or Grain, and on which the Allowance of Eightpence and Five *per Centum* for every Gallon thereof has been made, may be taken from the Warehouse in *Scotland* in which the same have been warehoused without payment of the Duty, under the Regulations of the Acts in force in such respect, and of this Act, for Removal for Consumption in *England* on Payment of the full Duty of Excise payable on *British* Spirits distilled in *England* on such Spirits, as directed by the said Act of the Sixth Year of the Reign of His said Majesty *George* the Fourth (except so far as the same is repealed or altered by this Act), and on Repayment at the same Time of the Allowance made thereon by the Distiller or Proprietor of such Spirits to the Collector of Excise or other Person employed by the Commissioners of Excise to receive the said Duty.

IX. And be it enacted, That Spirits which, under the Provisions of the Statutes in such respect in force, have been distilled in *Scotland* from Malt only, unmixed with any unmalted Corn or Grain, and on which the Allowance of Eightpence

pence and Five *per Centum* for every Gallon thereof has been made, may be removed to *England* or *Ireland* without Repayment of such Allowance if such Spirits have been warehoused under the Provisions, Enactments, Rules, and Regulations in force respecting the warehousing of Spirits without Payment of Duty, and in a separate and distinct Warehouse apart from all Spirits made from any other Materials than Malt only, and at a Time when no Spirits made from unmalted Corn or Grain, or any other Materials than Malt only, were in the Stock, Custody, or Possession of the Distiller by whom such Spirits were distilled and warehoused, which shall be certified by the proper Officer at the Time of warehousing such Spirits, by Endorsement on the Permit accompanying the same, and if such Spirits when removed to *England* or *Ireland* are taken direct from the Warehouse in which the same have been warehoused to a like Warehouse in *England* or *Ireland*, and by Sea, and in such Casks and Vessels as in this Act after mentioned, and with a proper Permit accompanying the same, and under such Security and Regulations as the Commissioners of Excise may order or make in that respect.

X. And be it enacted, That no Spirits which have been made or distilled in *Scotland* from unmalted Corn or Grain, mixed or unmixed with Malt, or from any other Materials than Malt only, shall be removed by the Distiller thereof from his Distillery, or from any Warehouse in the same Town or Place, and on the same Day in and on which he has given Notice to remove Spirits made by him from Malt only, unmixed with any unmalted Corn or Grain, and on which the Allowance of Eight-pence and Five *per Centum* for every Gallon thereof has been made and not repaid, either for Exportation to Foreign Parts, or for Use as Ships Stores, or for Removal to *England* or *Ireland*, or for Removal to any other Warehouse, otherwise such Notice shall be void, and all Spirits removed contrary hereto shall be forfeited.

XI. And be it enacted, That all Spirits distilled in *Scotland* from Malt only unmixed with any unmalted Corn or Grain, on which the Allowance of Eight-pence and Five *per Centum* for every Gallon thereof has been made and not repaid, may be removed from any Warehouse in the United Kingdom in which the same have been deposited under the Provisions of the Acts in that respect in force and of this Act for Exportation to Foreign Parts or for Use as Ships Stores, and upon such Spirits being duly removed from Warehouse by Permit to the Port of Shipment, and being duly exported or shipped there as Stores under and according to the Laws and Regulations

Malt only may be removed from Scotland to England or Ireland, without Repayment of the Allowance, when deposited in a separate Warehouse, at a Time when the Distiller had no other Spirits in Stock, and removed to a like Warehouse in England or Ireland by Sea, and under such regulations as the Commissioners may direct. No raw Grain Spirits to be removed by the Distiller on the same Day, and in the same Place from which he has given Notice to remove Malt Spirits on which the Allowance has not been repaid from Warehouse. Malt Spirits on which the

Allowance has not been repaid removed from Warehouse under the Provisions of this Act for Exportation, or to be used as Ships Stores, to be entitled to a Drawback of $7\frac{1}{2}d.$, and 5 per Cent per Gallon at Proof, on the same being certified to be so exported or shipped by the proper Officer.

Spirits to be kept separate until exported or shipped, and Penalty on any Alteration in the Quality of the same.

In case of Doubt Proof to the Satisfaction of the Commissioners that they are of the same Quality to lie on the Proprietor, otherwise no Drawback.

Allowance on Malt Spirits re-

tions of Customs, in such respect the Distiller or Proprietor of such Spirits shall be entitled to a Drawback of Seven-pence Halfpenny and Five *per Centum* for and on every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, for and in respect of the Duty upon the Malt used in the Distillation of such Spirits over and above the Allowance aforesaid, upon a Certificate of the Quantity of the Spirits so exported or shipped being transmitted to the Collector of Excise at or nearest to the Port where such Spirits have been so exported or shipped from the proper Export Officer of Customs or Excise at such Port, such Certificate being endorsed by such Officer upon the Permit accompanying such Spirits on their Removal from Warehouse to the Ship; and every such Officer shall transmit such Certificate and Permit as aforesaid on the Request of the Distiller or Proprietor exporting or shipping such Spirits to such Collector as aforesaid, and every such Collector shall, on being satisfied of the Truth thereof, pay such Drawback as aforesaid to the Distiller or Proprietor of such Spirits: Provided always, that no Distiller or Proprietor of such Spirits shall be entitled to such Drawback unless such Spirits were deposited and kept in a separate and distinct Warehouse apart from all *British* Spirits made from any other Materials than Malt only until such Spirits were actually exported or shipped as Stores; and if any Distiller or Proprietor warehousing or removing such Spirits makes any Alteration in the Quality of such Spirits, by mixing Spirits made from Grain, or from any other Material than Malt, with Spirits made from Malt only, or by substituting Spirits of the One Quality for the other, he shall incur the Penalty of Two hundred Pounds over and above all other Penalties, and all such Spirits shall be forfeited; and in case any Doubt arises whether any such Spirits are really and *bonâ fide* Spirits made from Malt only as described in the Permit accompanying the same, on any Removal thereof Proof shall be made by the Distiller or Proprietor of such Spirits to the Satisfaction of the Commissioners of Excise that such Spirits are Spirits made from Malt only, and are such as the same are described to be in the Permit accompanying them, otherwise no such Drawback as aforesaid shall be paid for or in respect of such Spirits.

XII. And be it enacted, That when any Spirits distilled in *Scotland* from Malt only, unmixed with any unmalted Corn or Grain, and on which the Allowance of Eight-pence and Five *per Centum* for every Gallon thereof has been made, have been removed from a Warehouse in *Scotland* to a like Warehouse in *England* or *Ireland*, without Repayment of such Allowance under the Provisions of this Act, and of the Laws and Regulations

lations in such respect, are taken out of such Warehouse for Home Consumption in *England* or *Ireland*, the aforesaid Allowance of Eight-pence *per* Gallon and Five *per Centum* for every Gallon of such Spirits taken out as aforesaid shall be repaid by the Proprietor or Person requesting a Permit for the Removal of such Spirits into Consumption before any such Permit shall be granted.

XIII. And be it enacted, That every licensed Distiller in *England* or *Ireland* shall be entitled to the Allowance of Eight-pence *per* Gallon by the said Act of the Second Year of the Reign of His Majesty King *William* the Fourth granted, and Five *per Centum* for and upon every Gallon of Spirits, and so in proportion for any greater or less Quantity of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Strength, distilled in *England* or *Ireland* for Exportation only, or for Use as Ships Stores, from malted Corn only, not being mixed with any unmalted Corn or Grain; provided such Spirits have been distilled under the several Provisions, of the said Act of the Fourth Year of the Reign of His said Majesty King *George* the Fourth, and of an Act of the Seventh and Eighth Years of the Reign of His said Majesty King *George* the Fourth, intituled *An Act to consolidate and amend certain Laws relating to the Revenue of Excise on Malt made in the United Kingdom, and for amending the Laws relating to Brewers in Ireland, and to the Allowance in respect of the Malt Duty on Spirits made in Scotland and Ireland from Malt only*, and of the aforesaid Act of the Second Year of the Reign of His Majesty King *William* the Fourth, and of any other Act or Acts of Parliament in force respecting the Distillation of Spirits from Malt only in *Scotland*, and the Payment of the Allowance granted in respect thereof, and the Rules and Regulations made by the Commissioners of Excise in such respect, and such other Rules and Regulations as the said Commissioners think fit to make in respect of the Payment of the like Allowance on Spirits distilled in *England* or *Ireland* from Malt only, and for the preventing of Frauds in claiming the same; and all Spirits distilled in *England* or *Ireland* from Malt only, to be entitled to any such Allowance, shall be warehoused for Exportation only, or for Use as Ships Stores, within Six Days after the same have been distilled, and under the same Provisions, Rules, and Regulations as Spirits distilled from Malt only in *Scotland* are by any former Act in force, or by this Act, directed to be warehoused for Exportation only, or for Use as Ships Stores; and upon any such Spirits distilled in *England* or *Ireland* from Malt only, and so warehoused, being duly removed from Warehouse by Permit to the Port of Shipment, and being duly exported or shipped there

moved to *England* or *Ireland*, which has not been repaid in *Scotland*, must be repaid on the same being taken out of Warehouse for Home Consumption in *England* or *Ireland*.

Distillers in *England* or *Ireland* entitled to the same Allowance and Drawback on Spirits distilled by them from Malt only under the same Provisions as in *Scotland* when warehoused for Exportation only, or for Use as Ships Stores.

2 & 3 W.
4. c. 29.

4 G. 4. c.
94.

7 & 8 G.
4. c. 52.

2 & 3 W.
4. c. 29.

there as Stores under and according to the Laws and Regulations of Customs in such respect, the Distiller or Proprietor of such Spirits shall be entitled to the Drawback of Seven-pence Halfpenny and Five *per Centum* by this Act granted for and on every Gallon of such Spirits actually exported or shipped as Stores as aforesaid; and such Drawback shall be paid over and above the Allowance aforesaid, and at the same or some different Time, as the said Commissioners may appoint, and upon like Certificate of the Spirits having been exported or shipped, or upon Delivery of such Receipt, as in this Act after mentioned, for the Spirits, as deposited in a Warehouse of special Security, or in any Warehouse approved of by the Commissioners of Her Majesty's Customs, in like Manner as such Drawback is by this Act directed to be paid upon Spirits distilled in *Scotland* from Malt only when so exported or shipped or warehoused as aforesaid; and all Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures in the said Acts of the Fourth Year and of the Seventh and Eighth Years of the Reign of His said Majesty King *George* the Fourth, and of the said Act of the Second Year of the Reign of His said Majesty King *William* the Fourth, or of any or either of them, or of any other Act or Acts of Parliament in force, or of this Act, respecting the making or Use of Malt for the Distillation of Spirits from Malt only, or respecting the Distillation of such Spirits in *Scotland*, or the warehousing or Removal of the same for Exportation, or for Use as Ships Stores, or respecting the granting or Payment of the Allowance or Drawback granted in respect of Spirits distilled in *Scotland* from Malt only, or for the preventing of Frauds in claiming the same, shall be enforced, used, and applied to, and in and for the granting or Payment of the like Allowance or Drawback by this Act granted for and in respect of Spirits distilled in *England* or *Ireland* from Malt only, and for the preventing of Frauds in claiming the same, as fully and effectually to all Intents and Purposes as if such Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures had been at first applied, or were now re-enacted to apply to the making and Use of Malt for Distillation of Spirits from Malt only, and to the Distillation of such Spirits in *England* and *Ireland* respectively, and to the warehousing and Removal of the same for Exportation or for Use as Ships Stores, and to the granting and Payment of the Allowance and Drawback by this Act granted for or in respect of Spirits distilled in *England* and *Ireland* respectively from Malt only, and for the preventing of Frauds in claiming the same.

Spirits
made from

XIV. And be it enacted, That every Distiller, Rectifier, or Proprietor

Proprietor of any *British* Spirits distilled or made from any other Materials than Malt only, which have been duly warehoused in any Warehouse in the United Kingdom under the Provisions of the Acts in that respect in force, and of this Act, and which are duly removed from such Warehouse for Exportation, or for the Purpose of being used as Ships Stores, shall be entitled to a Drawback of One Penny and One Halfpenny for and on every Gallon at Proof of such Spirits actually exported or shipped as Stores as aforesaid, for and in respect of the Duty upon the Malt used in the Distillation of such Spirits or as an Equivalent in respect thereof; and such last-mentioned Drawback shall be paid upon like Certificate of Shipment, or Receipt in Warehouse, as in this Act after mentioned, and in like Manner, (except as to the Proviso in respect of separate Warehouse) as the Drawback in respect of Spirits made from Malt only is by this Act directed to be paid, and under such further Regulations as the Commissioners of Excise may make in that respect.

XV. And be it enacted, That every licensed Distiller in *England, Scotland, or Ireland* may Warehouse for Exportation, or for Ships Stores only, any Spirits distilled in the Distillery of such Distiller, without Payment of the Duty of Excise charged thereon in any Warehouse of special Security (as the same is defined by the Laws relating to the Customs,) or in any Warehouse approved of by the Commissioners of Her Majesty's Customs for that Purpose only in *England, Scotland, or Ireland* respectively, according to the Laws, Rules, and Regulations there in force for the warehousing of Goods in such Warehouse, and under and subject to the same Rules and Abatement on account of a Deficiency in the Quantity or Strength of such Spirits as are made in the Case of Spirits the Produce of any *British* Plantation in *America*, or the Produce of any *British* Possession within the Limits of the *East India* Company's Charter; and the proper Officer of Customs at such Warehouse shall give to the Distiller or Person requiring the same for the Use of such Distiller a Receipt for such Spirits, upon the same being duly removed by Permit from the Distillery to the Warehouse, and deposited in such Warehouse, specifying the Number of the different Casks, with their Gauge, and the Quantity and Strength of the Spirits contained in them, with the Day of the Month and Year when such Spirits were so warehoused, and any Mark which may have been put on such Casks by such Distiller for distinguishing the Spirits to be his Property, and such Receipt shall be delivered over within a reasonable Time by every such Distiller to the Officer of Excise in charge of the Distillery of such Distiller; and such last-mentioned

any other Materials than Malt only entitled to a Drawback of 1½d. per Gallon on Exportation or Shipment as Stores.

Distiller may warehouse Spirits for Exportation, or for Ships Stores, in Warehouses under the Control of the Customs, and on Production of the Warehouse Keeper's Receipt such Spirits entitled to Drawback.

last-mentioned Officer shall immediately give to such Distiller a Copy thereof, signed by such last-mentioned Officer, and upon the Delivery of such Receipt, and not before, it shall be lawful for such last-mentioned Officer to deduct from the Number of Gallons of Spirits with which such Distiller is then charged or chargeable with Duty the Number of Gallons so warehoused, and to return the Charge of Duty against the Distiller to the Collector of Excise for the remaining Number of Gallons, which shall be a Charge against such Distiller accordingly; and every such Officer shall annex to such Return such Receipt as his Voucher for having made such Deduction as aforesaid; and every Distiller or other Person producing such Receipt for Spirits so deposited which are entitled to any or either of the Drawbacks for or in respect of the Duty on the Malt used in the Distillation of such Spirits by this Act granted on such Spirits being actually exported or shipped as Stores, shall be entitled to such Drawback respectively as if such Spirits had been actually exported or shipped as aforesaid; and every Distiller or other Person producing a Receipt for any Spirits deposited as aforesaid which is untrue in any of the Particulars therein mentioned shall incur the Penalty of Two hundred Pounds and double the Amount of the Drawback claimed in respect thereof.

Spirits deposited in an Excise Warehouse may be removed to Warehouses under the Control of the Customs.

XVI. And be it enacted, That Spirits deposited in any Warehouse approved of by the Commissioners of Excise in one Part or Place of the United Kingdom, without Payment of the Duty of Excise thereon, may be removed for Exportation, or for Ships Stores, to any Warehouse of special Security as aforesaid, or to any Warehouse approved of by the Commissioners of Her Majesty's Customs for that Purpose only, in any other Part or Place of the United Kingdom, under such Rules and Regulations as the Commissioners of Excise and Customs from Time to Time may appoint, the Duty upon all Deficiencies in such Spirits being first paid on Removal from the Excise Warehouse in which the same are deposited to the Collector of Excise of the Collection in which such last-mentioned Warehouse is situated.

Rectifiers of Spirits may warehouse Rectified Spirits not sweetened for Exportation or Ships Stores, in Ware-

XVII. And be it enacted, That every licensed Rectifier of Spirits in *England, Scotland, or Ireland* may warehouse for Exportation, or for Ships Stores, any Spirits by him rectified from Spirits on which the proper Duties of Excise have been paid or charged in any Warehouse of special Security as aforesaid, or in any Warehouse approved of for that Purpose only by the Commissioners of Her Majesty's Customs in that Part of the United Kingdom in which such Spirits were rectified, such Spirits not being sweetened Spirits, or Spirits mixed with any
Article,

Article, so that the Degree of Strength thereof cannot be ascertained by *Sykes'* Hydrometer, under the same Laws, Rules, and Regulations as Spirits the Produce of any *British* Plantation, or the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, and under and subject to such further Regulations as the Commissioners of Excise and Customs may from Time to Time appoint; and if any Rectifier of Spirits so warehouses any Spirits on which the proper Duties of Excise have not been paid or charged, he shall incur the Penalty of Two hundred Pounds, and all such Spirits shall be forfeited.

houses under the Control of the Customs.

XVIII. And be it enacted, That all Rectified Spirits so warehoused may be removed from one Warehousing Port in the United Kingdom to another for Exportation, or for Ships Stores only, subject to the Regulations of this Act, and to the Laws and Regulations of Customs relating to such Removals of Goods, and no such Spirits shall be admitted to Entry for Home Consumption.

Spirits so warehoused may be sent Coastwise for Exportation, or for Ships Stores only.

XIX. And be it enacted, That Spirits distilled or rectified in *England*, *Scotland*, or *Ireland* may be shipped or carried, conveyed or removed from *England* to *Scotland* or *Ireland*, or from *Scotland* to *England* or *Ireland*, or from *Ireland* to *England* or *Scotland*, under the Provisions of this Act, and of the said Act of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, and of the said Act passed in the Second Session of the Fifth Year of the Reign of Her Majesty, in any Ship or Vessel duly registered or licensed under the Laws and Regulations of Customs, and in any Cask containing Twenty Gallons of such Spirits at the least, any thing in the said Act of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, or in any other Act or Acts of Parliament, to the contrary thereof notwithstanding.

Spirits distilled or rectified in *England*, *Scotland*, or *Ireland* may be removed from one to the other in Ships duly registered and in Casks of Twenty Gallons at the least.

XX. And be it enacted, That all Rectified Spirits to be warehoused in such Warehouse of the Customs as aforesaid, other than Spirits of Wine, shall be of a Strength of not less than Twenty-two *per Centum* under Proof, nor more than Twenty-five *per Centum* over Proof, and if Spirits of Wine, shall be of a Strength not less than Forty-three *per Centum* over Proof, as denoted by the Hydrometer called *Sykes'* Hydrometer; and all Rectified Spirits to be so warehoused shall be contained in Iron-bound Casks, of not less than Twenty Gallons Content each, marked on each End of such Cask, in Letters or Figures legibly cut, branded, or painted thereon, with the Mark or Number of every such Cask, and with the full Content thereof in Gallons, and with the true Number of Gallons, and the true Strength of the Spirits contained therein,

Rectified Spirits warehoused to be not less than 22 *per Cent.* under Proof, nor more than 25 over Proof; or if Spirits of Wine, not less than 43 over Proof, and to be in Casks of

every

not less than Twenty Gallons, and shall be accompanied by a Permit.

Such Spirits to be entered for Warehouse, and Officer of Customs to grant Receipt for the Spirits so warehoused, and transmit a Certificate thereof to the Collector of Excise, who, on Production of such Documents, is to pay the Rectifier a Drawback of the Duties on such Spirits.

every such Cask being full at the Time of sending such Spirits from the Rectifying House to the Warehouse; and all such Spirits when so removed shall be accompanied with lawful Permit, otherwise the same shall be forfeited, and every Rectifier so removing such Spirits shall incur the Penalty of Two hundred Pounds over and above all other Penalties.

XXI. And be it enacted, That before any such Rectified Spirits shall be received into any such Warehouse of the Customs as aforesaid, a Warehousing Entry for Exportation only shall be passed for the same, specifying the Particulars of such Spirits, as set forth on the back of the Permit accompanying such Spirits, and the Name of the Rectifier, and of the Place where the Rectifying House is situated from which such Spirits were sent; and after such Spirits have been duly examined and warehoused by the proper Officer of Customs at such Warehouse, he shall deliver to the Rectifier warehousing such Spirits, or to any Person requiring the same for the Use of such Rectifier, a Receipt specifying the Marks, Number, and Content in Gallons of the several Casks received into such Warehouse, the Strength of each as ascertained by *Sykes'* Hydrometer, and the total Number of Gallons at Proof received with such Permit, and such Customs Officer shall forthwith despatch to the Collector of Excise of the Collection in which the Rectifying House from which such Spirits were sent is situated a Certificate, setting forth the Name of the Rectifier, and of the Place where such Rectifying House is situated, the Mark, Number, and Content in Gallons of the several Casks, the Strength of the Spirits in each, and the total Number of Gallons at Proof received with such Permit; and the Collector of Excise to whom such Certificate is sent shall, upon Production to him of the Receipt before mentioned, pay to the Rectifier whose Name is specified in such Certificate, or to any Person requiring the same in behalf of such Rectifier, a Drawback of the full Duties of Excise chargeable upon Spirits of the like Quantity and Strength when taken at Proof as the Spirits so warehoused, and also the Drawback before mentioned of Three Halfpence for and on every Gallon at Proof of the Spirits so warehoused, as if such Spirits had been actually exported or shipped as Stores; and if any Rectifier or other Person, for the Purpose of obtaining any such Drawback, produces a false Receipt as and for the Receipt before mentioned, or any Receipt which is untrue in any of the Particulars therein specified, the Rectifier by or on whose Behalf such Receipt is produced shall incur the Penalty of Two hundred Pounds and of double the Amount of all Drawback claimed in respect thereof.

XXII. And be it enacted, That every Rectifier warehousing
such

such Spirits may, on giving One Day's Notice to the Officer of Customs in charge of the Warehouse in which such Spirits are deposited, add to such Spirits any sweetening or colouring Matter, or any other Ingredient or Ingredients that he thinks proper, subject nevertheless to such Regulations and Restrictions as the Commissioners of Her Majesty's Customs may make from Time to Time; and no such Spirits, after any Matter or Ingredient has been added as aforesaid, shall be removed to any other Warehouse for Exportation or for Ships Stores, but must be removed for such Purpose directly from the Warehouse in which the same are then deposited on board the Vessel in which they are to be exported or used as Stores under the Laws and Regulations of the Customs.

XXIII. And whereas by the said Act of the Fourth Year of the Reign of His said Majesty King *George* the Fourth it is provided, that the Strength to be expressed in any Permit to accompany Spirits sent out of or removed from the Distillery or Stock of a licensed Distiller in *Scotland* or *Ireland* shall be either Twenty-five *per Centum* over Proof, Eleven *per Centum* over Proof, or Ten *per Centum* under Proof, and that it shall not be lawful to warehouse any Spirits of any Strength other than the respective Strengths of Twenty-five *per Centum* over Proof, or Eleven *per Centum* over Proof, and there are like Provisions in the said Act of the Sixth year of the Reign of His said Majesty King *George* the Fourth respecting licensed Distillers in *England*, and by such last-mentioned Act it is also provided that such Distillers in *England* shall not send out any Spirits from their Distillery or Stock in any less Quantity than in a Cask containing Eighty Gallons: And whereas it is expedient to amend such Laws in respect of Spirits of the Strength of Spirits of Wine: Be it enacted, That nothing in the said Acts or either of them respecting the Strength or Quantity at which Spirits may be removed from the Distillery or Stock of any Distiller, or may be warehoused by such Distiller as aforesaid, shall extend or be applied to Spirits of the Strength of Spirits of Wine, but that all *British* Spirits of that Strength may be sent out from the Distillery or Stock of any Distiller in *England*, *Scotland*, or *Ireland*, at the Strength of Forty-three *per Centum* above Proof, as denoted by the Hydrometer called *Sykes'* Hydrometer, or at any greater or higher Degree of Strength, in a Cask or Casks containing Twenty Gallons each at the least, for Home Consumption, or for Exportation, or for Use as Ships Stores, or may be warehoused for any such Purpose as aforesaid, in like Manner and under the same Laws, Regulations, Penalties, and Forfeitures, as Spirits of the Strength before specified may be sent out, removed, or warehoused

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4 G. 4. c. 94.
6 G. 4. c. 80.

warehoused by the before-recited Acts or either of them, or by this Act, anything in the said recited Acts or either of them, or in any other Act, to the contrary thereof notwithstanding.

XXIV. And be it enacted, That if any Distiller, Rectifier, or Proprietor of Spirits warehoused in any Warehouse approved of by the Commissioners of Excise under this Act, or the said Acts of the Fourth Year or of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, or of the Sixth and Seventh Years of the Reign of His said Majesty King *William* the Fourth, does by any means fraudulently open such Warehouse or gain Access to the Spirits contained therein, every such Distiller, Rectifier, or Proprietor shall incur the Penalty of Five hundred Pounds; and if after any such Spirits have been deposited in any such Warehouse, and before their actual Removal therefrom for Home Consumption or for Exportation, or for the Purpose of being shipped as Stores under the Regulations of the said Acts, or any or either of them, such Spirits are altered in Quality, Quantity, or Strength, except from natural Causes, and otherwise than as provided by this Act or the said Acts, or any or them, or by the Rules and Regulations of the Commissioners of Excise in such respect, all such Spirits, and the Casks containing the same, shall be forfeited, and the Person in whose Name such Spirits are deposited, shall forfeit, over and above all other Penalties, double the Amount of Duties chargeable on Spirits distilled in that Part of the United Kingdom in which such Spirits were deposited for and in respect of every Gallon of such Spirits as are abstracted contrary to this Act, or any of the said Acts, Rules, or Regulations.

XXV. And be it enacted and declared, That for the Purposes of this Act, and of all other Acts relating to the Revenue of Excise, the Word "Spirits" shall, in addition to the Denomination of Spirits of different Distillations now defined by Law, include and mean all Mixtures, Compounds, Preparations, or Commodities into the Manufacture of which Spirits enter as the Basis or principal Ingredient in all Cases in which the Duty of Excise has not been paid upon the Spirits from or with which such Mixtures, Compounds, Preparations, or Commodities have been manufactured.

XXVI. And whereas by an Act of the Eighth and Ninth Years of the Reign of Her Majesty, intituled *An Act for the General Regulation of the Customs*, it is enacted, "that no Goods which are subject to any Regulations of Excise shall be taken or delivered out of the Charge of the Officers of Customs (although the same may have been duly entered with them, and the full Duties due thereon may have been paid) until

Penalty on Distiller, &c. fraudulently opening Warehouses, and gaining Access to Spirits.

If after Spirits have been deposited, and before Removal for Home Consumption, &c. they shall be fraudulently altered in Quality, &c. they shall, together with the Casks, be forfeited, and Owner to pay Double Duties.

The Word "Spirits," as defined by Law, to include Spirit Mixtures whenever the Duty of Excise has not been paid on the Spirits from which they are manufactured.

"until such Goods shall also have been duly entered with the
 "Officers of Excise, and Permit granted by them for Delivery
 "of the same, nor unless such Permit shall correspond in all
 "Particulars with the Warrant of the Officers of Customs:
 "Provided always, that such Entry shall not be received by
 "the Officers of the Excise, nor such Permit granted by them,
 "until a Certificate shall have been produced to them of the
 "Particulars of the Goods, and of the Warrant for the same,
 "under the Hand of the Officers of the Customs who shall have
 "the Charge of the Goods: Provided also, that if upon any
 "Occasion it shall appear necessary, it shall be lawful for the
 "proper Officers of Excise to attend the Delivery of such Goods
 "by the Officers of the Customs, and to require that such Goods
 "shall be delivered only in their Presence; and it shall be
 "lawful for such Officers of Excise to count, measure, gauge,
 "or weigh any such Goods, and fully to examine the same,
 "and to proceed in all respects relating to such Goods in such
 "Manner as they shall be authorized or required by any Act
 "for the Time being in force relating to the Excise:" And
 whereas it is expedient to repeal so much of the said Act as is
 before recited, and to enact other Regulations in lieu thereof:
 Be it enacted, That so much of the said Act as is before recited
 shall be and the same is hereby repealed; and that from and
 after the passing of this Act, before any Goods which are sub-
 ject to any Regulations of Excise are removed from any Ware-
 house or Place in which they are deposited for Security of the
 Duties of Customs, the Party intending to remove the same
 shall, on making due Entry thereof for Home Consumption,
 deliver to the Collector and Comptroller of the Customs One
 Certificate or Duplicate of such original Entry in case the
 whole of the Goods included in such original Entry are intended
 to be removed into the Stock, Custody, or Possession of any
 One Party, or in case it be intended to remove such Goods
 into the Stock, Custody, or Possession of Two or more Parties,
 then the Party making such Entry shall deliver to the Col-
 lector and Comptroller Two or more Certificates or Duplicates,
 as the Case may require; and each Certificate or Duplicate
 shall contain such Particulars, and be arranged in such Form
 and Manner, as the Collector and Comptroller may require;
 and such Certificate or Certificates, Duplicate or Duplicates, as
 the Case may be, shall be annexed to and retained with the ori-
 ginal Entry, until Application be made for the Removal of such
 Goods, whereupon the proper Officer of Customs shall, in respect
 of such Removal, endorse on the Certificate or Duplicate relating
 thereto the Marks, Numbers, and Contents of the Casks and
 Packages so intended to be removed, and also, if any of such
 Packages

So much of
 Act 8 & 9
 Vict. c. 86.
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 of Customs.

Packages contain Spirits, the Degree of Strength *per Centum* thereof; and the Party applying for such Removal shall endorse on the Certificate or Duplicate relating thereto the Name and Address of the Person to whom or into whose Stock, Custody, or Possession, such Goods are intended to be removed; and at the Time of the Delivery of such Goods for Removal the proper Officer of Customs shall endorse on such Certificate or Duplicate the Day and Hour of Delivery, and sign his Name thereto, and shall then deliver such Certificate or Duplicate to the Party applying for the Removal of such Goods, in order that the same may accompany such Goods into the Stock, Custody, or Possession of the Party whose Name and Address is endorsed on such Certificate; and no such Goods accompanied by such Certificate or Duplicate, on Removal thereof direct from the Warehouse to the Party whose Name and Address is endorsed on such Certificate or Duplicate, shall be liable to Seizure and Forfeiture, or the Party removing or receiving the same to any Penalty, for or by reason of such Goods not being accompanied by a Permit, provided such Goods be conveyed within a reasonable Time after the Date of the Delivery thereof direct from the Warehouse to or into the Stock, Custody, or Possession of the Party whose Name and Address is endorsed on such Certificate; and every Person removing or receiving such Goods with such Certificate accompanying the same as aforesaid, or removing or receiving the same without such Certificate, (except as to Spirits, so far as the same is provided for by another Act of this present Session of Parliament.) shall be subject and liable to the same Rules, Regulations, Penalties, and Forfeitures in respect of such Certificate as such Person is subject and liable to under and by virtue of any Act or Acts of Parliament relating to the Revenue of Excise, for or by reason of his removing or receiving the like Goods with a true and lawful Permit accompanying the same, or removing or receiving the same without such Permit.

Penalties
and For-
feitures of
this Act
recover-
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the Laws
of Excise.

XXVII. And be it enacted, That all Penalties and Forfeitures by this Act imposed and incurred shall be prosecuted, sued for, recovered, and applied as any other Penalties and Forfeitures incurred under or by virtue of the Acts of Parliament relating to the Revenue of Excise; and the Drawbacks by this Act granted shall be under the Management of the Commissioners of Excise, and shall be severally paid and accounted for as directed by this Act, and under the general or special Provisions, Clauses, Enactments, Penalties, and Forfeitures contained in any Act or Acts relating to the Collection and Management of the Revenue of Excise.

Former
Provisions

XXVIII. And be it enacted, That all Enactments, Regula-
tions,

tions, Provisions, Pains, Penalties, and Forfeitures in any Act or Acts of Parliament relating to the Customs or Excise respecting the warehousing of Goods or Spirits, or the Removal thereof for Exportation, or for Ships Stores, shall, so far as the same are not repugnant to or inconsistent with the Provisions of this Act, be enforced, used, and applied to and for the Purposes of this Act as fully and effectually to all Intents and Purposes, as if such Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures, had been particularly repeated and re-enacted in this Act.

XXIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

and Penalties of Customs or Excise respecting the warehousing or Removal of Spirits for Exportation or Ships Stores applied to this Act.
Act may be Amended, &c.

CAP. CXXIII.

An Act to renew and amend an Act of the Tenth Year of Her present Majesty, for the more speedy Removal of certain Nuisances, and the Prevention of contagious and epidemic Diseases.—[4th September 1848.]

WHEREAS an Act passed in the Tenth Year of Her Majesty's Reign, for the more speedy Removal of certain Nuisances, and to enable the Privy Council to make Regulations for the Prevention of contagious and epidemic Diseases, will expire at the End of the present Session of Parliament; and it is necessary that other Provision should be made in lieu thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in *England and Ireland*, upon Receipt (or as soon afterwards as can be) by the Town Council, or by any Trustees or Commissioners for the drainage, paving, lighting, or cleansing, or managing or directing the Police of any City, Town, Borough, or Place, or by any other Body of a like Nature, or by any Commissioners of Sewers or Guardians of the Poor, or in *Ireland* by the Officers of Health of any Parish, of a Notice in Writing in the Form contained in the Schedule (A.) to this Act annexed, or to the like Effect, signed by Two or more inhabitant Householders of the Parish or Place to which the Notice relates, stating that, to the best of the Knowledge and Belief of the Persons by whom such Notice is signed, any Dwelling House or Building in any City, Town, Borough, Parish, or Place within or over which the Jurisdiction or Authority of the Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other Body to whom such

9 & 10
Vict. c. 96.

In *England and Ireland* certain public Bodies, upon Receipt of Notice in Writing from Two Householders, of the filthy Condition of any Building, or of the Existence of certain Nuisances, to cause Notice

Notice

Examina-
tion to be
made ;

Notice is given, extends, is in such a filthy and unwholesome Condition as to be a Nuisance to or injurious to the Health of any Person, or that upon any Premises within such Jurisdiction or Authority there is any foul and offensive Ditch, Gutter, Drain, Privy, Cesspool, or Ashpit, or any Ditch, Gutter, Drain, Privy, Cesspool, or Ashpit kept or constructed so as to be a Nuisance to or injurious to the Health of any Person, or that upon any such Premises Swine, or any Accumulation of Dung, Manure, Offal, Filth, Refuse, or other Matter or Thing, are or is kept so as to be a Nuisance to or injurious to the Health of any Person, or that upon any such Premises (being a Building used wholly or in part as a Dwelling House,) or being Premises underneath any such Building, any Cattle or Animal are or is kept so as to be a Nuisance to or injurious to the Health of any Person, such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other Body, or some Committee thereof which may be temporarily or Permanently appointed in this Behalf by such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other Body, shall, after Twenty-four Hours Notice in Writing, by delivering the same to some Person on the Premises referred to in such first-mentioned Notice, or (if there be no Person upon the Premises who can be so served) by fixing the same upon some conspicuous Part of such Premises, (or in case of Emergency without Notice) by themselves, their Servants or Agents, with or without Medical or other Assistants, enter such Premises, and examine the same with respect to the Matters alleged in such first-mentioned Notice, and do all such Works, Matters, and Things as may be necessary for that Purpose ; and if upon such Examination, or upon the Certificate in Writing of Two legally qualified Medical Practitioners, it appear that any Dwelling House or Building so examined is in such a filthy and unwholesome Condition as aforesaid, or that upon any Premises so examined there is any such Ditch, Gutter, Drain, Privy, Cesspool, Ashpit, Swine, Cattle, or Animal, or any such Accumulation or other Matter or Thing as aforesaid, such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other Body, or such Committee, shall make or cause to be made Complaint before a Justice, who shall thereupon issue a Summons (which may be according to the Form contained in the Schedule (B.) to this Act annexed, or to the like Effect,) requiring the Owner or Occupier of the Premises examined to appear before Two Justices to answer such Complaint ; and such Summons shall be served by delivering the same, or a true Copy thereof, to some Person upon the Premises in respect whereof Complaint is made, or (if there be no Person upon the Premises who can be so served) by fixing such Sum-

and if upon such Examination, or a Medical Certificate, it appear that the Nuisance &c. exists, public Body to make Complaint before a Justice, who shall summon the Owner or Occupier to appear before Two Justices ;

mons

mons or Copy upon some conspicuous Part of such Premises; and if at the Time and Place appointed by such Summons it be proved to the Satisfaction of such Justices that any Dwelling House or Building in respect whereof Complaint is made is in such a filthy and unwholesome Condition as aforesaid, or that any such Cause or Causes of Complaint as aforesaid exists or exist, and (in case such Owner or Occupier do not appear) that such Summons or Copy was served as aforesaid, such Justices shall make an Order in Writing under their Hands and Seals, (which Order may be according to the Form contained in the Schedule (C.) to this Act annexed, or to the like Effect), for cleansing, whitewashing, or purifying such Dwelling House or Building, or for the Removal or Abatement of any such Cause or Causes of Complaint, in such Manner and within such Time as shall be specified in such Order (not being more than Two clear Days, exclusive of *Sunday*, after Service of such Order as herein-after directed); and such Order shall be forthwith served by delivering the same or a true Copy thereof to some Person upon the Premises in respect whereof it is made, or (in case there be no Person upon the Premises who can be so served) by fixing such Order or Copy upon some conspicuous Part of such Premises; and if such Order be not complied with the Owner or Occupier against whom it is made shall be liable to a Penalty not exceeding Ten Shillings for every Day during the Continuance of his Default, and the Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other Body mentioned therein, shall, by themselves, their Servants or Agents, or by such Committee as aforesaid, their Servants or Agents, enter such last-mentioned Premises, and cleanse, whitewash, or purify the same, or remove or abate the Cause or Causes of Complaint in respect whereof the said Order shall have been made, and do all such Works, Matters, and Things as may be necessary for carrying such Order into effect; and any Dung, Manure, Offal, Filth, or Refuse, and any other Matter or Thing removed by any such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other Body as aforesaid, in pursuance of this Enactment, may be destroyed or sold, and in case of Sale the Proceeds arising therefrom shall be paid to or (as the case may require) be retained by the Guardians of the Poor, and shall be by them applied in aid of the Rate for the Relief of the Poor of the Parish, Electoral Division, or Place in which such Removal shall have been made.

and who shall, upon Proof, &c. order him to white-wash, &c. or remove the Nuisance complained of;

and if such Order be not complied with, the Owner or Occupier in default to be liable to Penalties, and public Body to enter the Premises, and do the Works ordered, or remove the Nuisance.

II. And be it enacted, That in *Scotland*, upon or as soon as can be after Notice in Writing in the Form contained in the Schedule (A.) to this Act annexed, or to the like Effect, signed by Two or more of the inhabitant Householdors of the Parish upon Re-

In Scotland certain public Officers, upon Re-

ceipt of
Notice in
Writing
from Two
House-
holders of
the filthy
Condition
of any
Building,
or of the
Existence
of certain
Nuisances,
to cause
Examina-
tion to be
made;

and if upon
such Ex-
amination
or a Medi-
cal Certifi-
cate it ap-
pear that
the Nui-
sance ex-
ists, public
Body to
make Com-

or Place to which the Notice relates, made to the Procurator Fiscal of any County, or the Procurator Fiscal or the Dean of Guild of any Royal Burgh, or the Procurator Fiscal of the Justices of the Peace of any County, or the Commissioners of Police or Trustees for paving, lighting, or cleansing any City, Town, Burgh, Parish, or Place, or the Inspector of the Poor of any Parish, stating that any Dwelling House or Building within any Royal Burgh, or in any City, Town, Burgh, Parish, or Place, within or over which the Jurisdiction or Authority of any such Procurator Fiscal, or of such Dean of Guild, or Commissioners of Police, or Trustees for paving, lighting, or cleansing, or Inspector of the Poor, extends, is in such a filthy and unwholesome Condition as to be a Nuisance to or injurious to the Health of any Person, or that upon any Premises within such Jurisdiction or Authority there is any foul and offensive Drain, Ditch, Gutter, Privy, Cesspool, or Ashpit, or any Drain, Ditch, Gutter, Privy, Cesspool, or Ashpit kept or constructed so as to be a Nuisance to or injurious to the Health of any Person, or that upon any such Premises Swine, or any Accumulation of Dung, Manure, Offal, Filth, Refuse, or other Matter or Thing, are or is kept so as to be a Nuisance to or injurious to the Health of any Person, or that upon any such Premises (being a Building used wholly or in part as a Dwelling House, or being Premises underneath any such Building, any Cattle or Animal are or is kept so as to be a Nuisance to or injurious to the Health of any Person, it shall be competent to any such Procurator Fiscal or Dean of Guild, or the proper Officer of such Commissioners of Police or Trustees, or such Inspector of the Poor respectively, after Twenty-four Hours from the giving Notice in Writing by Service thereof upon some Person on the Premises referred to in such first-mentioned Notice, or (if there be no Person upon the Premises who can be so served) by fixing the same upon some conspicuous Part of such Premises, or in case of Emergency without Notice, by himself or others acting under his Authority, with or without Medical or other Assistants, to enter such Premises, and examine the same with respect to the Matters alleged in such first-mentioned Notice, and do all such Works, Matters, and Things as may be necessary for that Purpose; and if upon such Examination, or upon the Certificate in Writing of Two legally qualified Medical Practitioners, it appear that any Dwelling House or Building so examined is in such a filthy and unwholesome Condition as aforesaid, or that upon any Premises so examined there is any such Drain, Ditch, Gutter, Privy, Cesspool, Ashpit, Swine, Cattle, or Animal, or any such Accumulation, or other Matter or Thing, as aforesaid, such Procurator Fiscal,

Fiscal, Dean of Guild, Officer, or Inspector shall make or cause to be made Complaint to the Sheriff or Magistrates or a Justice, who shall thereupon order the Owner or Occupier of the Premises examined to appear before such Sheriff or Magistrates or Two Justices to answer such Complaint; and such Order shall be served by delivering the same, or a true Copy thereof, to some Person upon the Premises in respect whereof Complaint is made, or (if there be no Person upon the Premises who can be so served) by fixing such Order or Copy upon some conspicuous Part of such Premises; and if at the Time and Place appointed by such Order it be proved to the Satisfaction of such Sheriff or Magistrates or Justices that any Dwelling House or Building in respect whereof Complaint is made is in such a filthy and unwholesome Condition as aforesaid, or that any such Cause or Causes of Complaint as aforesaid exists or exist, and (in case such Owner or Occupier do not appear) that such Order or Copy was served as aforesaid, such Sheriff or Magistrates or Justices shall make an Order in Writing under their Hands (which Order may be according to the Form contained in the Schedule (C.) to this Act annexed, or to the like Effect,) for cleansing, whitewashing, or purifying such Dwelling House or Building, or for the Removal or Abatement of any such Cause or Causes of Complaint, in such Manner and within such Time as shall be specified in such Order (not being more than Two clear Days, exclusive of *Sunday* after Service of such Order,) and such last-mentioned Order shall be forthwith served by delivering the same, or a true Copy thereof, to some Person upon the Premises in respect whereof it is made, or in case there be no Person upon the Premises who can be so served, by fixing such Order or Copy upon some conspicuous Part of such Premises; and if such Order be not complied with the Owner or Occupier against whom it is made shall be liable to a Penalty not exceeding Ten Shillings for every Day during the Continuance of his Default, and the Procurator Fiscal or Dean of Guild or proper Officer of the Commissioners of Police, or Trustees or Inspectors of the Poor respectively, shall, by themselves or others acting under their Authority, enter such last-mentioned Premises, and cleanse, whitewash, or purify the same, or remove or abate the Cause or Causes of Complaint in respect whereof the said last-mentioned Order shall have been made, and do all such Works, Matters, and Things as may be necessary for carrying such Order into effect, and any Dung, Manure, Offal, Filth or Refuse, and any other offensive or noxious Matter or Thing removed in pursuance of this Enactment, may be destroyed or sold, and in case of Sale the Proceeds arising therefrom shall be paid to or (as the

plaint before the Sheriff or a Justice, who shall order the Owner or Occupier to appear;

and upon Proof, &c., whitewashing, &c. or Removal of the Nuisance complained of, to be ordered.

If such last-mentioned Order be not complied with, Owner or Occupier in default to be liable to Penalties, and the public Officers to enter Premises, and do the Works ordered, or remove the Nuisance.

Case

Case may require) be retained by the Parochial Board for the Management of the Poor, and shall be by them applied in aid of the Funds for the Relief of the Poor of the Parish or Place in which such Removal shall have been made.

Recovery
of Costs,
&c. from
Owner or
Occupier
of the Pre-
mises.

III. And be it enacted, That whenever any such Order as aforesaid for cleansing, whitewashing, or purifying any Dwelling House or Building, or for the Removal or Abatement of any such Cause or Causes of Complaint as aforesaid, has been obtained, all Costs and Expenses reasonably incurred in obtaining such Order, or in carrying the same into effect, shall be deemed to be Money paid for the Use and at the Request of the Owner or Occupier of the Premises in respect whereof such Costs and Expenses shall have been incurred, and may be recovered as such by the said Town Councils, Trustees, Commissioners, Guardians, Officers of Health, or other Body, or by the said Procurators Fiscal, Deans of Guild, Commissioners of Police, or Trustees and Inspectors of the Poor respectively, as such, in any County Court, Civil Bill Court, or in *Scotland*, before the Sheriff or Magistrates or Justices of the Peace; or such Town Council, Magistrates, Trustees, Commissioners, Guardians, Officers of Health, or other Body, or Procurators Fiscal, Deans of Guild, or Inspectors of the Poor, may, if they shall think fit, recover such Costs and Expenses before Two Justices, or, in *Scotland*, before the Sheriff or Magistrates or Two Justices, from the Owner or Occupier of the Premises in respect of which such Order is made; and any Two Justices, or, in *Scotland*, the Sheriff or Magistrates or any Two Justices, upon the Application of any such Town Council, Magistrates, Trustees, Commissioners, Guardians, Officers of Health, or other Body, or Procurator Fiscal, Dean of Guild, or Inspector of the Poor, shall issue a Summons, or, in *Scotland*, an Order, requiring such Owner or Occupier to appear before them, or before him or them, at a Time and Place to be named therein; and at the Time and Place so named, upon Proof to the Satisfaction of such Justices, or such Sheriff or Magistrates or Justices, that any such Costs and Expenses have been so incurred as aforesaid, and (in case such Owner or Occupier do not appear) that a Copy of such last-mentioned Summons or Order was served, by delivering the same to some Person on the Premises in respect of which the Costs and Expenses were incurred, or, if there be no Person upon the Premises who can be so served, by fixing the same upon some conspicuous Part of such Premises, such Justices, or such Sheriff or Magistrates or Justices, unless they think fit to excuse the Party summoned upon the Ground of Poverty or other special Circumstances, shall, by Order in Writing, in *England* or *Ireland* under the Hands and
Seals

Seals of such Justices, or in *Scotland* under the Hands of such Sheriff or Magistrates or Justices, order him to pay the Amount to the Applicants, together with the Costs attending such Application and the Proceedings thereon; and if the Amount be not paid within Seven Days after Demand, the same may, by Warrant under the Hands and Seals of the same or any other Two Justices, or, in *Scotland*, under the Hands of the Sheriff or Magistrates or Justices, by whom the last-mentioned Order shall have been made, or any other Two Justices, be levied by Distress and Sale of the Goods and Chattels of the Owner or Occupier in default; and if no Distress sufficient to satisfy the same can be found within the Jurisdiction of the Justices, or of the Sheriff or Magistrates or Justices, by whom such Warrant shall have been issued, and it so appear upon Oath before Two Justices, or, in *Scotland*, before the Sheriff or Magistrates or Two Justices, of any other County or Jurisdiction in which any Goods or Chattels of the Defaulter may be, such last-mentioned Justices, or Sheriff or Magistrates or Justices, shall indorse their or his Signatures or Signature upon the last-mentioned Warrant, and thereupon the Amount to be levied, or so much thereof as may be unsatisfied, shall be levied of the last-mentioned Goods and Chattels, in the same Manner as if such Warrant had been originally and properly issued by the Justices, or by the Sheriff or Magistrates or Justices, of such last-mentioned County or Jurisdiction.

IV. And be it enacted, That all Costs and Expenses reasonably incurred as aforesaid in carrying into effect any of the Provisions herein-before contained, and not recovered from any Owner or Occupier of the Premises in respect of which such Expenses shall have been incurred, shall, upon an Order in Writing, specifying the Sum to be paid, under the Hands and Seals of Two Justices, or, in *Scotland*, under the Hands of the Sheriff or Magistrates or Two Justices, (who are hereby required to make such Order, upon proper Application in this Behalf,) be retained, paid, or defrayed by the Treasurer of such Guardians or Parochial Board, or by the Overseers of the Poor, or other proper Officers or Persons, out of the Funds in their Hands applicable to the Relief of the Poor, and shall be charged to the Parish, Electoral Division, or Place maintaining its own Poor in which the Premises in respect whereof such Costs and Expenses shall have been so incurred are situated, and in other Places in *England* or *Ireland* out of any public Rates or Funds raised in such Places, or applicable thereto under the Authority of Parliament, or in case there be no such Rates or Funds as last aforesaid, then out of the Funds for the Relief of the Poor of the Parish, Electoral Division,

Certain
Expenses
of this Act
to be de-
frayed out
of Poor's
Rates, &c.

sion, or Place nearest adjoining, or if there be Two or more Parishes or Places nearest adjoining, out of the Funds for the Relief of the Poor of such One of them as Two Justices shall, by Order in Writing under their Hands and Seals, appoint; and in case any such Costs or Expenses shall have been incurred on account or in respect of any Parish in *Scotland* in which it shall happen that there is not at the Time an Assessment for the Relief of the Poor imposed or levied, then the same shall be paid or defrayed out of an Assessment to be imposed and levied for that Purpose, and to the Extent necessary, under and in the Manner provided by an Act of the Ninth Year of Her Majesty's Reign, for the Amendment and better Administration of the Laws relating to the Relief of the Poor in *Scotland*; and if any such Treasurer, Overseers, or Officers or Persons, neglect or refuse to pay the Sum specified in any order of Justices, or of any Sheriff or Magistrates, made under this Enactment, for the space of Twenty-one Days after the Date of such Order, the same may, by Warrant under the Hands and Seals of the same or any other Two Justices, or, in *Scotland*, under the Hands of the Sheriff or Magistrates or any Two Justices, by whom such Order shall have been made, or any other Two Justices, be levied by Distress and Sale, together with the Costs of such Distress and Sale of the Goods and Chattels of the Treasurer, Overseers, or other Officers or Persons in default.

8 & 9 Vict.
c. 83.

Above Provisions not to apply to Districts and Places in which the Public Health Act is in force.

Jurisdiction of Commissioners of Sewers not to be impaired.

V. Provided always, and be it enacted, That nothing hereinbefore contained shall apply to any District, Parish, or Place in which the Public Health Act, 1848, or any Part thereof, shall be in force, unless and except in so far as the General Board of Health, by Order in Writing, sealed with the Seal of such Board, and signed by Two or more Members thereof, or (in case there be no such Board in existence) as one of Her Majesty's Principal Secretaries of State, by Order in Writing under his Hand, shall otherwise direct: Provided also, that nothing in this Act shall be construed to impair, abridge, or take away any Power, Jurisdiction, or Authority which may at any Time be vested in any Commissioners of Sewers, or to take away or interfere with any Course of Proceeding which might be resorted to or adopted by such Commissioners if this Act had not been passed.

Surveyor of Highways required to cleanse open Ditches adjoining Highways, &c.

VI. And whereas by an Act passed in the Sixth Year of the Reign of King *William* the Fourth, for consolidating and amending the Laws relating to Highways in *England*, the Surveyor and District Surveyor or Assistant Surveyor therein mentioned are empowered to scour, cleanse, and keep open all Ditches, Gutters, Drains, or Watercourses; and by an Act passed in the Ninth Year of Her Majesty's Reign, for amend-
ing

ing the Laws concerning Highways, Bridges, and Ferries in *Scotland*, the Trustees or Surveyors therein mentioned are empowered to cleanse the Ditches made or to be made along the Sides of any Highway, in case of the Neglect or Refusal of the Proprietor or Occupier to cleanse such Ditches when duly required so to do by such Trustees or Surveyors; and with a view to the more effectual Removal of Nuisances injurious to Health, it is expedient that such Surveyor, District Surveyor, or Assistant Surveyor, Trustees or Surveyors, should not only be empowered but required to scour, cleanse, and keep clear, or cause to be scoured, cleansed, and kept clear, as far as may be practicable, all open Ditches, Gutters, Drains, and Watercourses upon, adjoining, or by or along the Sides of any Highway: Be it therefore enacted, That the said Surveyor, or District or Assistant Surveyor, Trustees or Surveyors, shall scour, cleanse, and keep clear, or cause to be scoured, cleansed, and kept clear, as far as may be practicable, all open Ditches, Gutters, Drains, and Watercourses upon, adjoining, or by or along the Sides of any Highway; and any Sewage, Drainage, Soil, Filth, or other Matter or Thing whatsoever which shall be removed by any such Surveyor, District or Assistant Surveyor, Trustees or Surveyors, from any such Ditch, Gutter, Drain, or Watercourse, in scouring, cleansing, and keeping clear the same, shall be disposed of by such Surveyor, Assistant or District Surveyor, Trustees or Surveyors, and the Proceeds arising therefrom shall be applied towards the Repair of the Highway within the Parish or Place in which such Removal shall have taken place; and the Provisions herein-before contained with respect to Ditches, Gutters, Drains, and Watercourses upon, adjoining, or by or along the Sides of Highways, shall, in so far as the same relate to *England*, be deemed to be part of the said Act relating to Highways in *England*, and in so far as the same relate to *Scotland*, shall be deemed to be part of the said Act relating to Highways in *Scotland*.

VII. And be it enacted, That whosoever shall suffer any Sewage, Drainage, Soil, Filth, or any Matter or Thing of a noxious or offensive Nature, to run or flow into or to remain in any open Ditch, Gutter, Drain, or Watercourse, so as to be a Nuisance to or injurious to the Health of any Person, from any Dwelling House, Building, or other Premises which shall not have been occupied before the passing of this Act, or from any Privy or Water-closet which shall not have been constructed before that Time, shall be deemed guilty of a Misdemeanor, or in *Scotland* of an Offence punishable by Fine or Imprisonment, and shall, in addition, be liable for every such

Drainage into open Ditches from new Houses a Misdemeanor, &c.

5 & 6 W. 4.
c. 50.
8 & 9 Vict.
c. 41.

such Offence to a Penalty not exceeding Five Pounds for every Day during which the Offence is continued.

Notice to
be given to
General
Board of
Health,
and in
Ireland to
Commis-
sioners of
Health, of
Intention
to build or
open cer-
tain Hos-
pitals, &c.

VIII. And be it enacted, That whenever it is intended to build or open any Hospital for the Reception of Patients afflicted with contagious or infectious Diseases or Disorders, the Trustees or other Persons by whose Authority such Hospital is intended so to be built or opened as aforesaid shall give Notice of such Intention to the said General Board of Health or (in *Ireland*, to the Commissioners of Health herein-after mentioned; and no such Hospital shall be built or opened as aforesaid until the said General Board of Health or Commissioners of Health, as the Case may be, have approved thereof in Writing; but nothing herein contained shall apply to the building or opening of any Addition to a Building which shall have been used as an Hospital previously to such Addition.

Privy
Council,
&c. em-
powered
to issue
Orders for
putting in
force the
Provisions
of this Act
relative to
the Pre-
vention of
epidemic
Diseases,
&c.

IX. And whereas it is expedient that when any Part of the United Kingdom shall appear to be threatened with or affected by any formidable epidemic, endemic, or contagious Disease, Measures of Precaution should be taken with Promptitude, according to the Exigency of the Case: Be it therefore enacted, That in *Great Britain* the Lords and others of Her Majesty's Most Honourable Privy Council, or any Three or more of them, (the Lord President of the Council, or One of Her Majesty's Principal Secretaries of State, being One,) and in *Ireland* the Lord Lieutenant or other Chief Governor or Governors and Privy Council of *Ireland*, may, by Order or Orders to be by them from Time to Time made, direct that the Provisions herein-after contained for the Prevention of epidemic, endemic, and contagious Diseases be put in force in *Great Britain* and *Ireland* respectively, or in such Parts thereof or in such Places therein respectively as in such Order or Orders respectively may be expressed, and may from Time to Time, as to all or any of the Parts or Places to which any such Order or Orders may extend, and in like Manner, revoke or renew any such Order, and, subject to Revocation and Renewal as aforesaid, every such Order shall be in force for Six Calendar Months, or for such shorter Period as in such Order shall be expressed.

After Or-
der by
Privy
Council,
General
Board of
Health, &c.
may issue
Directions

X. And be it enacted, That from Time to Time after the issuing of any such Order as last aforesaid, and whilst the same shall continue in force, the General Board of Health (in *Great Britain*), under the Seal of the said Board, and the Hands of Two or more Members thereof, and in *Ireland* the Commissioners of Health for the Time being, under the Hands of Two or more of them, may issue such Directions and Regulations as
the

the said Board or last-mentioned Commissioners (as the Case and Regulations may be) shall think fit for the Prevention, as far as possible, or Mitigation, of such epidemic, endemic, or contagious Diseases, and from Time to Time, in like Manner, revoke, renew, and alter any such Directions or Regulations, or substitute such new Directions and Regulations as to the said Board or last-mentioned Commissioners may appear expedient; and the said Board or last-mentioned Commissioners, as the Case may be, may by such Directions and Regulations provide for the frequent and effectual cleansing of Streets and public Ways and Places by the Surveyors, District or Assistant Surveyors of Highways, Trustees, County Surveyors, and others by Law intrusted with the Care and Management thereof, or by the Owners and Occupiers of Houses and Tenements adjoining thereto, and for the cleansing, purifying, ventilating, and disinfecting of Houses, Dwellings, Churches, Buildings, and Places of Assembly, by the Owners or Occupiers and Persons having the Care and ordering thereof, for the Removal of Nuisances, for the speedy Interment of the Dead, and generally for preventing or mitigating such epidemic, endemic, or contagious Diseases, in such Manner as to the said Board or last-mentioned Commissioners, (as the Case may be,) may seem expedient; and the said Board or last-mentioned Commissioners may by any such Directions and Regulations authorize and require the Guardians of the Poor in *England* and *Ireland*, and the Parochial Boards for the Management of the Poor in *Scotland*, by themselves or their Officers, or any Persons employed by them in the Administration of the Laws for the Relief of the Poor, or by Officers specially appointed in this Behalf to superintend and see to the Execution of any such Directions and Regulations, and (where it shall appear that there may be Default or Delay in the Execution thereof, by Want or Neglect of such Surveyors, Trustees, or others intrusted as aforesaid, or by reason of Poverty of Occupiers, or otherwise,) to execute or aid in executing the same within their respective Unions and Parishes and Combinations, and in any extra-parochial Places adjoining to or surrounded by the same in which the Directions and Regulations of the said Board or last-mentioned Commissioners shall not be executed by the Inhabitants, and to provide for the dispensing of Medicines, and for affording to Persons afflicted by or threatened with such epidemic, endemic, or contagious Diseases such Medical Aid as may be required, and to do and provide all such Acts, Matters, and Things as may be necessary for superintending or aiding in the Execution of such Directions and Regulations, or for executing the same, as the Case may require; and the Directions and Regulations to be issued as aforesaid shall extend to all Parts

or

or Places in which the Provisions of this Act for the Prevention of epidemic, endemic, or contagious Diseases shall for the Time being be put in force under such Orders as aforesaid, unless such Directions and Regulations shall be expressly confined to some of such Parts or Places, and then to such Parts or Places as in such Directions and Regulations shall be specified, and (subject to the Power of Revocation and Alteration herein contained) shall continue in force so long as the said Provisions of this Act shall be in force under such Orders, in the Parts or Places to which such Directions and Regulations shall under this Provision extend: Provided always, that if at any Time in *Ireland*, there shall not be any Commissioners of Health the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by his or their Warrants, may appoint so many Persons as he or they may think fit, not being more in Number than Five, to act as Commissioners of Health in *Ireland*, without Salary, Fee, or Reward, and may from Time to Time remove any of such Commissioners, and appoint any other Person in his Stead; and such Commissioners shall for all Purposes be Commissioners of Health in *Ireland* within the Meaning and for the Purposes of this Act.

One Medical Member of General Board of Health may be appointed.

Treasury to pay Allowances appointed by Parliament.

XI. And be it enacted, That Her Majesty may from Time to Time, during the Continuance of any order of her Majesty's Privy Council or of any Members thereof as aforesaid by Warrant under the Royal Sign Manual. appoint, in addition to the Members for the Time being of the General Board of Health, One fit Person to be a Medical Member of such Board for the Purposes of this Act, and Her Majesty may at Her Pleasure remove any Person so appointed; and there shall be paid to the person or Persons so appointed such Allowance or Allowances as shall be appointed by the Commissioners of Her Majesty's Treasury, out of any Monies which may from Time to Time be appointed by Parliament for that Purpose.

Poor Law Commissioners, &c., may compel Guardians, &c. to execute Regulations and Directions of the General Board of Health, &c.

XII. And be it enacted, That the Commissioners for administering the Laws for the Relief of the Poor in *England* and *Ireland* respectively, and the Board of Supervision established under the said Act, for the Amendment and better Administration of the Laws relating to the Relief of the Poor in *Scotland*, may require the Officers and Persons acting under them to inquire into, superintend, and report on the Execution of the Directions and Regulations of the General Board of Health, or Commissioners of Health, as the Case may be, under this Act, and shall have the same Powers for enforcing and directing the Execution of such Directions and Regulations by the said Guardians and Parochial Boards respectively as they

they now or may hereafter have in relation to any Matter concerning the Administration of the Laws for the Relief of the Poor.

XIII. And be it enacted, That the said Guardians and Parochial Boards acting in the Execution of any such Directions or Regulations as aforesaid, or the Officers or Persons by them in this Behalf authorized, at reasonable Times in the Daytime, may and they are hereby empowered to enter and inspect any Dwelling or Place, if there be Ground for believing that any Person may have recently died of any such epidemic, endemic, or contagious Disease in any such Dwelling or Place, or that there is any Filth or other Matter dangerous to Health therein or thereupon, or that Necessity may otherwise exist for executing, in relation to the Premises, all or any of such Directions and Regulations as aforesaid.

Power of Entry for the Purpose of enforcing Regulations of the General Board of Health, &c.

XIV. And be it enacted, That the said Guardians and Parochial Boards may appoint or employ, for the Superintendence and Execution of the said Directions and Regulations, Officers or Persons in aid of the Officers or Persons employed in the Administration of the Laws for the Relief of the Poor; and such Guardians and Parochial Boards respectively shall defray the Expenses incurred by them respectively in the Superintendence and Execution of such Directions and Regulations out of the Funds of their respective Unions, Parishes, or Combinations; and if any such Expenses shall have been incurred on account or in respect of any extra-parochial Place in *England* or *Ireland*, the same shall, upon an Order in Writing specifying the Sum to be paid, under the Hands and Seals of Two Justices, who are hereby empowered to make such Order, upon proper Application in this Behalf, be paid or defrayed out of any public Rates or Funds raised therein or applicable thereto under the Authority of Parliament, or in case there be no such Rates or Funds as last aforesaid, then out of the Funds of the Union or Parish for which the Guardians by whom the Expenses have been incurred act; and in case any such Expenses shall have been incurred on account or in respect of any Parish in *Scotland* in which it shall happen that there is not at the Time an Assessment for the Relief of the Poor imposed or levied, then the same shall be paid or defrayed out of an Assessment to be imposed and levied for that Purpose, and to the Extent necessary, under and in the Manner provided by the said Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in *Scotland*.

Expenses of Guardians, &c. to be paid out of Poor Rate, &c.

8 & 9 Vict. c. 83.

XV. And be it enacted, That every Order of Her Majesty's Privy Council, or of the Lord Lieutenant and Privy Council of *Ireland*, and every Direction and Regulation of the said General

Orders, Directions, and Regulations to

be laid
before
Parlia-
ment, and
to be
gazetted,
&c.

General Board of Health or Commissioners of Health under this Act, shall, forthwith upon the issuing thereof, be laid before both Houses of Parliament, if Parliament be then sitting, and if not then within Fourteen Days next after the Commencement of the then next Session of Parliament; and every such Order of Her Majesty's Privy Council, or any Members thereof, as aforesaid, shall be certified under the Hand of the Clerk in Ordinary of Her Majesty's Privy Council, and shall be published in the *London Gazette*, and every such Order of the Lord Lieutenant and Privy Council of *Ireland* shall be certified under the Hand of One of the Clerks of the Privy Council of *Ireland*, and shall be published in the *Dublin Gazette*; and every such Direction and Regulation as aforesaid when issued in *Great Britain* shall be published in the *London Gazette* and in the *Edinburgh Gazette*; and when issued in *Ireland* in the *Dublin Gazette*, and such Publication of any such Order, Direction, or Regulation shall be conclusive Evidence of the Order, Direction, or Regulation so published, to all Intents and Purposes.

Penalties
for ob-
structing
Execution
of this Act.

XVI. And be it enacted, That whosoever shall wilfully obstruct any Person acting under the Authority or employed in the Execution of this Act, or who shall wilfully violate any Direction or Regulation issued by the General Board of Health, or such Commissioners of Health as aforesaid, under this Act, shall be liable for every such Offence to a Penalty not exceeding Five Pounds; and if the Occupier of any Premises prevent the Owner thereof from obeying or carrying into effect the Provisions of this Act, any Justice, or in *Scotland* the Sheriff or any Justice, to whom Application is made in this Behalf, shall by Order in Writing (which may be according to the Form contained in the Schedule (D.) to this Act annexed, or to the like Effect,) require such Occupier to permit the Execution of the Works required to be executed, provided that such Works appear to such Sheriff or Justice to be necessary for the Purpose of obeying or carrying into effect the Provisions of this Act; and if within a reasonable Time after the making of such Order the Occupier against whom it is made refuse to comply therewith, he shall be liable to a Penalty not exceeding Five Pounds for every Day afterwards during the Continuance of such Refusal.

Recovery
of Penal-
ties in
England or
Ireland,

XVII. And be it enacted, That Penalties imposed by this Act for Offences committed in *England* or *Ireland* may be recovered by any Person before any Two Justices, and may be levied by Distress and Sale of the Goods and Chattels of the Offender, together with the Costs of such Distress and Sale, by Warrant under the Hands and Seals of the Justices before whom the same shall be recovered, or any other Two Justices;

Justices; and in case it shall appear to the Satisfaction of such Justices, before or after the issuing of such Warrant, either by the Confession of the Offender or otherwise, that he hath not Goods and Chattels within their Jurisdiction sufficient to satisfy the Amount, they may commit him to any Gaol or House of Correction for any Time not exceeding Fourteen Days, unless the Amount be sooner paid, in the same Manner as if a Warrant of Distress had issued and a Return of Nulla bona been made thereon; and Penalties imposed by this Act for Offences in *Scotland* may be recovered by the Procurator and in Fiscal of the Court, or by any other Person, before the Sheriff Scotland. or Two Justices, who may proceed in a summary Way, and grant Warrant for bringing the Parties complained upon immediately before him or them, and on Proof on Oath by One or more credible Witness or Witnesses, or other legal Evidence, he or they may forthwith determine and give Judgment, without any written Pleadings or Record of Evidence, and grant Warrant for the Recovery of the Penalties and Expenses decerned for, and, failing Payment within Eight Days after Conviction, by Poinding, and Imprisonment for a Period, at the Discretion of the Sheriff or Justices, not exceeding Fourteen Days; and all Penalties whatsoever recovered under this Act shall be paid to or (as the Case may require) be retained by the Guardians of the Poor, or, in *Scotland*, the Parochial Board for the Management of the Poor, and shall be by them applied in Aid of the Rates or Funds for the Relief of the Poor of the Parish, Electoral Division, or Place in which the Penalties may have been incurred. Application of Penalties.

XVIII. And be it enacted, That in case of any Demand or Complaint under this Act to which Two or more Owners or Occupiers of Premises may be jointly answerable, it shall be sufficient to proceed against any One or more of them, without in any Manner proceeding against the others or other of them; but nothing herein contained shall prevent the Parties so proceeded against from recovering Contribution in any Case in which they would now be entitled to Contribution by Law. One or more of several joint Owners or Occupiers may be proceeded against alone.

XIX. And be it enacted, That wherever in any Proceeding under this Act, whether written or otherwise, it shall become necessary to mention or refer to the Owner or Occupier of any Premises, it shall be sufficient to designate him as the "Owner" or "Occupier" of such Premises, without Name or further Description. Unnecessary to describe Owner or Occupier by Name in certain Cases.

XX. And be it enacted, That no Order, nor any other Proceeding, Matter, or Thing done or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside for Want of Form, or be removed or removable by Certiorari, Proceedings not to be quashed for Want of Form.

orari, or by Suspension or Advocation, or other Writ or Process whatsoever, into any of the Superior Courts.

Proceedings commenced under 9 & 10 Vict. c. 96. may be enforced, although that Act has expired.

XXI. And be it enacted, That all Proceedings whatsoever commenced or taken or to be commenced or taken under the said first-recited Act of the Tenth Year of Her Majesty's Reign, and which shall not have been completed and enforced, whilst the last-mentioned Act continues in force, may be proceeded with and enforced under the Provisions of that Act, although such Provisions be no longer in force, in the same Manner in all respects and to all Intents and Purposes as if the same continued to be in force, and as if the said last-mentioned Act had not expired.

Interpretation of Terms.

XXII. And be it enacted, That in this Act the following Words and Expressions shall have the Meanings herein-after assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,) the Words "Justice" and "Justices" shall mean a Justice or Justices of the Peace acting for the Place where the Matter or any Part of the Matter, as the Case may be, requiring the Cognizance of the "Justice" or "Justices" arises; the Expression "Two Justices" shall mean Two or more Justices assembled and acting together, or One Stipendiary or Police Magistrate acting in any Police Court for the Place in which the Matter or any Part of the matter, as the Case may be, requiring the Cognizance of "Two Justices" arises; the Word "Sheriff" shall mean the Sheriff of any County or Place in *Scotland* where the Matter requiring the Cognizance of the "Sheriff" arises, and shall include the Sheriff Substitute; the Word "Magistrates" shall mean the Magistrates of any Royal Burgh in *Scotland* where the Matter requiring Cognizance arises; the Words "Guardians of the Poor" and the Words "Parochial Board" shall mean the Guardians, Directors, Wardens, Governors, Parochial Board, or other like Officers having the Management of the Poor for any Union, Parish, Combination, or Place where the Matter requiring the Cognizance of any such Officers arises; the Word "Street" shall include every Highway, Road, Square, Row, Lane, Mews, Court, Alley, and Passage, whether a Thoroughfare or not; the Word "Owner" shall mean any Person receiving the Rents of the Property in respect of which that Word is used from the Occupier of such Property, on his own Account, or as Trustee or Agent for any other Person, or who would receive the same if such Property were let to a Tenant; the Word "Person," and Words applying to any Person or Individual, shall apply to and include Corporations, whether aggregate or sole; and Words and Expressions importing the Singular

Number

Number shall include the Plural Number, and Words importing the Masculine Gender shall include Females.

XXIII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Words "The Nuisances Removal and Diseases Prevention Act, 1848."

Mode of
citing this
Act.

XXIV. And be it enacted, that this Act may be amended or repealed in this present Session of Parliament.

Act may
be amend-
ed, &c.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Notice by Householders.

To the Town Council of the Borough of [or
Guardians of the Poor of the Union or of the
Parish of in the County of or
as the Case may be; or in Scotland, to the Procurator Fiscal
of the County of or to the Procurator Fiscal
or Dean of Guild of the Burgh of or to the
Procurator Fiscal of the Justices of the County of
or to the Inspector of the Poor of the Parish of
or as the Case may be.]

WE, the undersigned Inhabitants [or,
in Scotland, Householders] of [insert the
Parish or Place], and residing at in [insert
the Parish or Place before mentioned] aforesaid, do hereby give
you Notice, that to the best of our Knowledge and Belief a
Dwelling House [or Building] situate at No. in

Street in aforesaid
[or such other Description as may be sufficient to identify the
Premises] is in such a filthy and unwholesome Condition as to
be a Nuisance to [or injurious to the Health of] A. B. or as
the Case may be [or that upon certain Premises situate at [in-
serting such a Description as may be sufficient to identify the
Premises] there is a foul and offensive Drain, Ditch, Gutter,
Privy, Cesspool, or Ashpit, or a Drain, &c., kept or constructed
so as to be a Nuisance to us, or to the Occupiers of the Pre-
mises adjoining the Premises aforesaid, or as the Case may be,
or that upon certain Premises situate at, &c., Swine, or an
Accumulation of Dung, Manure, Offal, Filth, Refuse, or Mat-
ter, or as the Case may be, are or is kept so as to be injurious
to our Health, or to the Health of A. B., or of the Occupiers of
the Premises adjoining the Premises aforesaid, or of Persons
living in the Neighbourhood, or of the Persons living in the
Premises

Premises aforesaid, *as the Case may be*, or that upon certain Premises, &c., Swine, &c. are kept so as to be a Nuisance to us, &c., *as the Case may be*. And we hereby require that you will cause such Proceedings to be taken as are directed in this Behalf by the "Nuisances Removal and Diseases Prevention Act, 1848."

Dated this Day of One
thousand eight hundred and .

A. B.
C. D.

SCHEDULE (B.)

Summons to appear.

To the Owner [or Occupier] of a Dwelling House [or Building, or of certain Premises.] situate at *insert such a Description as may be sufficient to identify the Premises.*

County of
[or Borough, &c. of
or Metropolitan Police Dis-
trict, or as the Case may be]
to wit.

WHEREAS Complaint hath been made to the undersigned, One of Her Majesty's Justices of the Peace acting in and for the said County of

[or Borough, &c. of], or One of the Magistrates of the Police Courts of the Metropolis holden at [or as the Case may be], by the Town Council of the Borough of [or as the Case may be], that a certain Dwelling House [or Building] situate at No.

in the Parish of [or as the Case may be],
in the County of [or such other Description
as may be sufficient to identify the Premises] is in such a filthy and unwholesome Condition as to be a Nuisance to or injurious to the health of A. B., or as the Case may be. [or that upon certain Premises situate at [inserting such a Description as may be sufficient to identify the Premises] there is a foul and offensive Drain, [Ditch, Gutter, Privy, Cesspool, or Ashpit, or a Drain, &c.] kept or constructed so as to be a Nuisance to A. B., &c., [as the Case may be], or that Swine [or an Accumulation of Dung, Manure, Offal, Filth, Refuse, or Matter, or as the Case may be,] are [or is] kept so as to be injurious to the Health of A. B. or of the Occupiers of the Premises adjoining the Premises aforesaid, or of Persons living in the Neighbourhood of the Premises aforesaid, or of Persons living in the Premises aforesaid, or a Nuisance to A. B., &c., *as the Case may be*. These are therefore to require you to appear before Two of Her Majesty's Justices of the Peace [or One
of

of the Magistrates of the Police Courts of the Metropolis, at the Court holden at _____] on the Day of _____ next, at the Hour of _____ to answer the Matter of the said Complaint.

Given under my Hand and Seal this _____ Day of _____ in the Year of our Lord One thousand eight hundred and _____

J. K. (L. S.)

SCHEDULE (C.)

Order for Removal of Nuisances, &c.

To the Owner [or Occupier] of the Dwelling House [or Building or Premises] situate at No. _____ in Street in the Parish of _____ in the County of [or such other Description as may be sufficient to identify the Premises], and to the Town Council of the Borough of [or to the Guardians of the Poor of the Union, or of the Parish of _____ in the County of _____ or, in Scotland, the Procurator Fiscal of the County of _____ or the Procurator Fiscal or Dean of Guild of the Burgh of _____ or the Procurator Fiscal of the Justices of the Peace of the County of _____ or the Inspector of the Poor of the Parish of _____ as the Case may be], and to their Servants or Agents, and to all whom it may concern.

County of _____, } WHEREAS on the _____ Day of [or Borough, &c. of _____] last Complaint was made before the undersigned [or before J. K., Esquire, One of Her Majesty's Justices of the Peace acting in and for the County of _____ [or before the undersigned, or J. K., Esquire, One of the Magistrates of the Police Courts of the Metropolis, or as the Case may be,] by the Town Council of the Borough of _____ [or by the Guardians of the Poor of the Union, or of the Parish of _____ in the County of _____ or, in Scotland, by the Procurator Fiscal of the County of _____ or by the Procurator Fiscal or Dean of Guild of the Burgh of _____ or by the Procurator Fiscal of the Justices of the Peace of the County of _____ or by the Inspector of the Poor of the Parish of _____ as the Case may be], that a Dwelling House [or Building] situate at No. _____ in Street in [the Parish or Place before mentioned aforesaid, [or such other Description as may be sufficient to identify the Premises,] then was in such a filthy and unwholesome Condition

Condition as to be a Nuisance [*or injurious to the Health of*] *A. B.*, *or as the Case may be*, [*or that upon certain Premises situate at [inserting such a Description as may be sufficient to identify the Premises] there then was a foul and offensive Drain, [Ditch, Gutter, Privy, Cesspool, or Ashpit, or a Drain, &c. kept or constructed so as to be a Nuisance to A. B., &c., as the Case may be], or that upon certain Premises, situate, &c., Swine, or an Accumulation of Dung, Manure, Offal, Filth, or Refuse, or as the Case may be, are or is kept so as to be injurious to the Health of A. B., or of the Occupiers of the Premises adjoining the Premises first aforesaid, or of Persons living in the Neighbourhood of the Premises first aforesaid, or of Persons living in the Premises first aforesaid, or so as to be a Nuisance to A. B., &c.: And whereas the Owner [or Occupier] of the said Dwelling House, Building, or Premises having this Day appeared before us, Two of Her Majesty's Justices of the Peace acting in and for the County [or Borough] of [or before me, One of the Magistrates of the Police Courts of the Metropolis, or, in Scotland, before the Sheriff or Magistrates or Two Justices of the Peace, as the Case may be], to answer the Matter of the said Complaint [or in Case the Party charged do not appear: And whereas it hath this Day been proved to our [or my] Satisfaction, that a true Copy of a Summons requiring the Owner [or Occupier] of the said Dwelling House [or Building or Premises] to appear this Day before us [or me] has been duly served according to the Statute in such Case made and provided,] and it having been proved [or also proved, as the Case may require,] that the said Dwelling House [or Building] is in such a filthy and unwholesome Condition as aforesaid [or that upon the Premises aforesaid [or first aforesaid] there is a foul and offensive Drain, [Privy, Cesspool, or Ashpit, or a Drain, &c. kept or constructed so as to be a Nuisance to A. B., &c., as the Case may be], or that upon the Premises aforesaid [or first aforesaid] an Accumulation of Dung, Manure, Offal, Filth, or Refuse, or as the Case may be, is kept, or a Pigsty exists, so as to be injurious to Health as aforesaid, or so as to be a Nuisance to A. B., &c., as the Case may be]: We [or I] do hereby, in pursuance of the Statute in such Case made and provided, order the said Owner [or Occupier] of the said Dwelling House [or Building, or Premises, or first-mentioned Premises, within*

Hours from the Service of this Order [or a true Copy thereof], according to the Statute in such Case made and provided, to cleanse [white-wash or purify] the said Dwelling House [or to cleanse, cover, or fill up, or as the Case may require, the said Drain, [Ditch, Gutter, Privy, Cesspool, or Ashpit, or otherwise as the Case may

may require], or remove the said Pigsty or Accumulation of Dung, Offal, Filth, Refuse, or Matter, as the Case may be, so that the same shall not be injurious to Health, or a Nuisance, as aforesaid]; and if this Order be not complied with, then we [or I] authorize and require you the said Town Council [or Guardians of the Poor, or in Scotland the Procurator Fiscal of the County of or the Procurator Fiscal or Dean of Guild of the Burgh of or the Procurator of the Justices of the Peace of the County of or the Inspector of the Poor of the Parish of as the Case may be] to enter upon the said Dwelling House [or Building, or Premises, or first-mentioned Premises,] and to do all such Works, Matters, and Things as may be necessary for carrying this Order into effect, according to the Statute in such Case made and provided.

And for your so doing this shall be your sufficient Warrant.

Given under our Hands and Seals [or my Hand and Seal, or, in Scotland, our Hands, or my Hand], this
Day of One thousand eight hundred
and .

Signatures. { (L.S.)*
(L.S.)*

* [In Scotland without Seals.]

SCHEDULE (D.)

Order to permit Execution of Works by Owners.

County of
[or Borough or Burgh,
or Metropolitan Police District,
or as the Case may be]
to wit.

WHEREAS Complaint hath been made to me, E.F., Esquire, One of Her Majesty's Justices of the Peace in and for the County [or Borough, &c.] of [or One of the Magistrates of the Police Courts of the Metropolis, or as the Case may be, or, in Scotland, to me, G. H., Sheriff, or One of Her Majesty's Justices of the Peace, as the Case may be, of the County of], by A. B., Owner within the Meaning of the "Nuisances Removal and Diseases Prevention Act, 1848," of certain Premises, to wit, a Dwelling House [or Building, or as the Case may be], situate [insert such a description of the Premises as may be sufficient to identify them], in the Parish of in the said County [or Borough, &c.] that C.D., the Occupier of the said Premises, doth prevent the said A.B. from obeying and carrying into effect the Provisions of the said Act, in this,

this, to wit, that he the said *C.D.* doth prevent the said *A.B.* from [*here describe the Works generally according to the Circumstances; for instance, thus: cleansing or whitewashing or purifying the said Dwelling House [or Building], or cleansing a foul and offensive Drain [Ditch, Gutter, Privy, Cesspool, or Ashpit,] which exists upon the said Premises, or as the Case may require*]: And whereas the said *C.D.* having been summoned to answer the said Complaint, and not having shown sufficient Cause against the same, and it appearing to me that the said Works are necessary for the Purpose of enabling the said *A.B.* to obey and carry into effect the Provisions of the said Act, I do hereby order that the said *C.D.* do permit the said *A.B.* to execute the same in the Manner required by the said Act.

Given under my Hand and Seal [*or, in Scotland, under my Hand*] this Day of in
the Year of our Lord One thousand eight hundred
and

*E. F. (L.S.)**

** [In Scotland without Seal.]*

CAP. CXXIV.

An Act to amend an Act of the last Session, for varying the Priorities of the Charges made on "The London Bridge Approaches Fund," and to facilitate the Completion of certain Improvements in the City of Westminster.—[4th September 1848.]

CAP. CXXV.

An Act for raising the Sum of Two Millions by Exchequer Bills, or by the Creation of Annuities, for the Service of the Year One thousand eight hundred and forty-eight.—[5th September 1848.]

CAP. CXXVI.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-eight; and to appropriate the Supplies granted in this Session of Parliament.—[5th September 1848.]

CAP. CXXVII.

CAP. CXXVII.

An Act to reduce the Duties on Copper and Lead.—
[5th September 1848.]

WHEREAS it is expedient to reduce the Duty now payable upon the Importation of Copper and Lead into the United Kingdom: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in lieu and instead of the Duties of Customs now payable upon the Articles mentioned in the Table to this Act annexed, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said Articles imported into the United Kingdom only, the several Duties of Customs respectively inserted, described, and set forth in Figures in the Table to this Act annexed.

II. And be it enacted, That all such Goods as are enumerated in the said Table as shall have been warehoused without Payment of Duty upon the first importation thereof, and which shall be in the Warehouse at the Commencement of the Duties imposed by this Act, shall be deemed and taken to be liable to such Duties.

III. And be it enacted, That the Duties by this Act imposed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, and applied, or appropriated under the Provisions of any Act or Acts now in force or hereafter to be made relating to the Customs.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

After passing of this Act the Duties mentioned in Table annexed to be paid, &c. in lieu of those now payable.

All Goods enumerated in Table as have been warehoused without Payment of Duty to be liable.

Duties by this Act imposed to be under Management of the Customs.

Act may be amended, &c.

Table referred to in this Act.

	£	s.	d.
Copper, Ore of, per Ton	0	1	0
— Regulus of, per Ton	0	1	0
— Old, fit only to be manufactured, per Ton	0	2	6
— Unwrought; viz. in Bricks or Pigs, Rose			
Copper, and all cast Copper, per Ton	0	2	6
— Part wrought; viz. Bars, Rods, or Ingots,			
hammered or raised, per Ton	0	2	6
— in Plates and Copper Coin, per Ton	0	2	6
Lead, Pig and Sheet, per Ton	0	2	6

CAP. CXXVIII.

CAP. CXXVIII.

An Act for carrying into effect the Agreement between Her Majesty and the Imam of Muscat for the more effectual Suppression of the Slave Trade.—[5th September 1848.]

CAP. CXXIX.

An Act for amending an Act passed in the Ninth and Tenth Years of Her present Majesty for making preliminary Inquiries in certain Cases of Applications for Local Acts.—[5th September 1848.]

9 & 10 Vict.
c. 106.

9 & 10 Vict.
c. 106. re-
pealed, but
not to af-
fect certain
Acts done
under it.

Statement
of Objects,
&c. of pro-
posed Act,
accom-
panied by
Plans, &c.,
to be given
to the Com-
missioners
of Woods,
&c.

WHEREAS an Act was passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for making preliminary Inquiries in certain Cases of Applications for Local Acts*: And whereas it is expedient to repeal the said Act, and to enact other Provisions in lieu thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby repealed, but so that such Repeal shall not affect the liability of any Promoters or others to the Payment of any Costs, Charges, Expenses, or other Sums made payable by the said Act, and now remaining unpaid, or any Right or Remedy under any Security given for the Payment of such Costs, Charges, Expenses, or other Sums, or the Certificate of any Surveying Officer, or the Authority which any Surveying Officer would have had to certify the Amount of Expenses incurred in any local Examination under the said recited Act in case this Act had not been passed.

II. And be it enacted, That in any Case where it is intended to make an Application to Parliament for an Act for the Establishment of any Waterworks, or for draining, paving, cleansing, lighting, or otherwise improving any Town, District, or Place, or for making, maintaining, or altering any Burial Ground or Cemetery, or for continuing, altering, or enlarging any of the Powers or Provisions contained in any Act or Acts relating to any of the Purposes aforesaid, a Statement in Duplicate of the intended Objects and Provisions of the proposed Act shall, on or before the last Day of the Month of November next before the Session of Parliament in which such Application is intended to be made, or in case such Day shall fall on a *Sunday* then on or before the Day preceding, be sent or delivered to or at the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings;

Buildings; and such Statement shall be signed by the Promoter or by any Two or more of the Promoters of the proposed Act, or by some Person duly authorized on his or their Behalf; and in such Statement shall also be described and specified:

First. The public Benefit proposed by such Act:

Secondly. The Amount of Funds required for carrying the

Act into Effect, and the proposed Application of the same:

Thirdly. The Mode in which it is proposed to raise such Funds:

Fourthly. If it is proposed to raise such Funds by Loan, the Mode whereby, and the Period within which such Loan is to be repaid:

And with such Statement shall be sent or delivered as aforesaid a Copy of such Plans, Sections, and Books of Reference or other Documents, if any, as may be required by the Standing Orders of either House of Parliament for the Time being to be deposited at any Public Office.

III. And be it enacted, That it shall be lawful for the said Commissioners, if they shall consider the same necessary or expedient, but not otherwise, and on being satisfied with the Security for Payment of the Expenses, as herein-after provided, to appoint, by Writing under their Hands, One or more competent Person or Persons, as they shall think necessary, to be an Inspector or Inspectors for the Purpose of making such preliminary Examination, Survey, and Inquiries as herein-after mentioned with reference to any such proposed Act; and the said Inspector or Inspectors shall proceed to the Town, District, or Place to which the proposed Act may relate, and shall make such Examination and Survey of the same, and such Inquiries in relation to the Objects and Provisions of the proposed Act, and shall conduct his or their Proceedings in such Manner as may be directed by any Orders or Resolutions of either House of Parliament, and in such Manner as the said Commissioners shall direct, in case there shall be no such Orders or Resolutions, and so far as such Orders or Resolutions for the Time being shall not extend or be applicable; but so that there be a public Hearing by the said Inspector or Inspectors, at which the Promoters, Opposers, and others may be heard in relation to the proposed Act; and after such Examination, Survey, and Inquiries as aforesaid the said Inspector or Inspectors shall report the Result thereof to the said Commissioners; and every such Report, together with such other Documents as the said Commissioners shall deem necessary, shall be laid before both Houses of Parliament within Six Weeks after the Time at which Security for Payment of Expenses shall have been given to the Satisfaction of the Commissioners as herein provided, if Parliament be then sitting, and if Parliament be not then sitting, then within Fourteen Days after the next Meeting of Parliament: Provided always that

Power to Commissioners of Woods, &c. to appoint competent Persons to be Inspectors to make preliminary Examinations, &c.

Inspectors to report to Commissioners of Woods, &c., who shall lay the same before Parliament, after Security for Payment of Expenses shall be given.

that if by reason of any special Circumstances it shall in any Case be found impracticable to lay any such Report before both Houses of Parliament within the Time herein-before specified, the said Commissioners shall with such Report present a Statement of the special Circumstances which may have occasioned the Delay.

Commissioners of Woods, &c., to give Notice of Inquiry.

IV. And be it enacted, That the said Commissioners shall give Fourteen Days public Notice of the Time and Place which shall have been fixed for the Purpose of the public Hearing, or first public Hearing, for the Purposes of such Examination as aforesaid, by advertisement in One or more of the public Papers usually circulated in the Town, District, or Place, and in such other Manner as shall appear to them necessary and sufficient.

Promoters of proposed Act and Opponents to appear before Inspectors, and produce Surveys, &c.

V. And be it enacted, That at the Time and Place which shall have been so notified as aforesaid the Promoter or Promoters of the proposed Act, or some Person on his or their Behalf, shall appear before the said Inspector or Inspectors, and produce all such Surveys, Plans, Sections, and Estimates, or other Documents connected with the Matter of Inquiry, and give such Evidence in relation to the proposed Act as such Promoter, Promoters, or Person aforesaid shall think fit, and shall give such further Evidence, and produce such other Documents as the said Inspector or Inspectors shall deem necessary; and all Persons whose Rights or Interests may be affected by any such proposed Act, and who may be desirous of being heard in opposition to the same, may also appear before the said Inspector or Inspectors, and state their Grounds of Opposition thereto, and may support the same by Evidence, and by such Plans, Sections, or other Documents as may be in their Custody or Power; and the said Inspector or Inspectors may by Summons under his or their Hand or Hands summon before him or them any Overseer or other Person having the Custody of any Map or Survey made in pursuance of the Provisions of any Act of Parliament, or of any Book containing any Rate made for the Relief of the Poor in any Parish, or for any Purpose or Place wholly or in Part within the District over which such Examination shall extend, to produce such Map, Survey, or Book for his or their Inspection; and the said Inspector or Inspectors may summon in manner aforesaid any other Person whose Evidence shall, in the Judgment of the said Inspector or Inspectors, be material to his or their Inquiries, and pay or allow to every such Overseer or other Person so summoned by him or them the reasonable Charges of his Attendance; and the said Inspector or Inspectors shall also have Power to administer an Oath to all Persons who may be examined by him or them touching the Premises, and all Persons so examined shall be required to answer upon Oath

Power to Inspectors to summon Persons having Custody of Maps, &c.;

also Persons to give Evidence.

Power to Inspectors to administer Oaths

Oath all such Questions as may be put to them by the Inspector or Inspectors. to Persons examined.

VI. And be it enacted, That any Person being summoned by such Inspector or Inspectors who, after the Delivery to him of such Summons as aforesaid, or of a Copy thereof, shall wilfully neglect or refuse to attend in pursuance of such Summons, or to produce such Plans, Sections, Maps, Books, or other Documents as he may be required to produce under the Provisions herein-before contained, or to answer upon Oath such Questions as may be put to him by such Inspector or Inspectors under the Powers herein contained, shall be liable to forfeit and pay a Penalty not exceeding Five Pounds, which may be recovered before any Two or more Justices having Jurisdiction within such Town, District, or Place; and on Conviction of the Offender, and in Default of Payment of any such Penalty, such Justices shall be empowered and required to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender by Warrant under their Hands and Seals, and such Penalty shall be paid to the Treasurer of the County within which such Conviction shall take place, in aid of the County Rate; provided that no Person other than the Promoters of the proposed Act, or their Agents, shall be required to attend in obedience to any Summons, unless the reasonable Charges of his Attendance be paid or tendered to him, nor to travel in obedience thereto more than Ten Miles from his usual Place of Abode.

VII. And be it enacted, That all Costs, Charges, and Expenses which shall be incurred by the said Commissioners or by the said Inspector or Inspectors in respect of the said local Examination, Survey, and Inquiries, or otherwise under the Provisions of this Act, in relation to the Application for any such Act as aforesaid, including such Sums as the said Commissioners shall fix for the Remuneration of the said Inspector or Inspectors, shall be paid by the Promoters of the proposed Act to the said Commissioners; and the Amount of such Costs, Charges, and Expenses shall in all Cases be certified by the said Commissioners, after first hearing any Objections that may be made to the Reasonableness of such Costs, Charges, and Expenses by the Person or Persons liable to pay the same, or some Person duly authorized on his or their Behalf; and it shall be lawful for the said Commissioners, previous to the Commencement of such Examination, to require the said Promoters to deposit any Sum of Money, or to give such other Security for the Payment of the said Costs, Charges, and Expenses as to the said Commissioners shall seem fit; and the Certificate of the said Commissioners, certifying the Amount of the Costs, Charges, and Expenses so incurred as aforesaid, shall be taken as Proof in all Proceedings at Law and in Equity

Penalty on Persons wilfully refusing to attend or give Evidence.

Expenses of Inquiry to be paid by the Promoters, the Amount of which shall be certified by Commissioners.

Commissioners may require Promoters to make a Deposit. Certificate of Commissioners to be taken as Proof in

Proceedings at Law.

Inspectors may charge a Portion of the Expenses on Opponents.

Commissioners may charge Opponents to proposed Act with a Proportion of Costs of Inquiries, &c.

Notice to be given to the Admiralty where Applications relate to Ports or navigable Rivers.

Equity of the Amount of such respective Costs, Charges, and Expenses: Provided always, that it shall not be lawful to include in such Certificate any Charge for the Attendance of any Persons who may voluntarily present themselves before such Inspector or Inspectors for Examination by him or them under the Provisions herein-before contained: Provided also, that it shall be lawful for the said Inspector or Inspectors, where he or they shall be of opinion that the Inquiries under this Act have been prolonged by frivolous or vexatious Opposition of any Person or Persons, to direct, by a Certificate under the Hand or Hands of such Inspector or Inspectors, that a Sum of Money, in such Certificate to be mentioned, be paid by such Person or Persons to the Promoters of the proposed Act, in respect of the increased Costs, Charges, and Expenses under this Act occasioned by such frivolous or vexatious Opposition; and in such Case the Promoters, or such of them as shall have paid the whole of such Costs, Charges, and Expenses to the said Commissioners, shall be entitled to sue for and recover the Sum mentioned in such last-mentioned Certificate, as Money paid to the Use and at the Request of the Person or Persons by such Certificate directed to pay the same.

VIII. And be it enacted, That it shall be lawful for the said Commissioners (whenever they may think it necessary or proper so to do) to charge any Person or Persons, Joint Stock Company, Municipal Corporation, or other Body appearing as Opponents to any proposed Act, with such proportion of the Costs, Charges, and Expenses incurred in respect of such local Examination, Survey, or Inquiries, or otherwise, as aforesaid, as the said Commissioners may think fit, and likewise to require such Person or Persons, Joint Stock Company, Corporation, or other Body to deposit any Sum of Money, or to give such other Security for the Payment of the said Costs, Charges, and Expenses, as to the said Commissioners shall seem fit.

IX. And be it enacted, That where it is intended to make Application to Parliament for an Act relating to any Port or Harbour, or to any tidal Water, or to any navigable River, or in any Manner directly or indirectly affecting the Navigation of such Port, Harbour, tidal Water, or navigable River, a Statement in Duplicate, with such Copy of Plans, Sections, Books of Reference, or other Documents as aforesaid, shall be sent or delivered to the Lord High Admiral, or to the Lords Commissioners for executing the Office of Lord High Admiral, in the Manner herein-before directed for sending or delivering such Statement and Documents to the Office of the first-mentioned Commissioners, in the Case of the Intention to make Application to Parliament for the other Acts above specified; and the Lord High Admiral or the said Lords Commissioners may, where he or they shall deem it necessary or expedient, cause the like Examination, Survey, and Inquiries to be made

by

by an Inspector or Inspectors, and shall have the same Powers with respect to such Examination, Survey, and Inquiries in relation to the proposed Acts to which the Statement to be sent or delivered to him or them shall relate, as herein-before enacted, in regard to the said first-mentioned Commissioners, with respect to the Acts in relation to which a Statement is to be sent or delivered to them; and the Inspector or Inspectors who may be appointed by such Lord High Admiral or Lords Commissioners shall, in relation to the Purposes of their Appointment, have the same Powers and Authorities as the Inspector or Inspectors appointed by such first-mentioned Commissioners, in relation to the Purposes of their Appointment, as if all the Provisions herein-before enacted in regard to the first-mentioned Commissioners and the Inspector or Inspectors by them appointed, with respect to the Cases in which they respectively are authorized to act, had been repeated in regard to such Lord High Admiral or Lords Commissioners as aforesaid, and the Inspector or Inspectors appointed by him or them, with respect to the Cases in which he or they respectively are authorized to act as aforesaid: Provided nevertheless, that such Lord High Admiral or Lords Commissioners shall not be required to lay the Reports of the said Inspectors before the Houses of Parliament unless such Reports be specially called for by either House, but such Lord High Admiral or Lords Commissioners shall report to Parliament, under the Hand of his or their Secretary for the Time being, on every such Act touching the Jurisdiction or Authority of the Lord High Admiral.

X. And be it enacted, That in case either House of Parliament shall order that an Examination, Survey, and Inquiries be made in reference to any such Application to Parliament as herein-before mentioned by an Inspector or Inspectors, the first-mentioned Commissioners, or the said Lord High Admiral or Lords Commissioners, as the Case may be, shall thereupon appoint an Inspector or Inspectors, and such Inspector or Inspectors shall make the like Examination, Survey, Inquiries, and Report, in the same Manner, and shall have the same Powers and Authorities in relation thereto, as if he or they had been appointed as herein-before provided; and the Report of such Inspector or Inspectors, or the Report of the Lord High Admiral or Lords Commissioners, shall be laid before or made to both Houses of Parliament within such Time as by such Order shall be directed; and all the Provisions herein-before contained with reference to Surveys, Examinations, and Inquiries, and Costs, Charges, and Expenses, shall be applicable to the Examination, Survey, and Inquiries directed by every such Order as aforesaid, and the Costs, Charges, and Expenses thereof.

XI. And be it enacted, That in this Act Words importing the Singular Number shall include the Plural Number, and

Inquiry may be made after Time limited by Permission of either House of Parliament.

Interpretation of Act.

Words

Persons
signing
State-
ments to
be deemed
Promoters.

Act may be
amended,
&c.

Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females; and any Act directed or authorized to be done by the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, Works, and Buildings may be done either by the Chief Commissioner or by any Two of the said Commissioners; and the Persons whose Names shall be subscribed to any Statement which may be sent or delivered to or at the Office of the said Commissioners, or to the said Lord High Admiral or Lords Commissioners, shall be deemed to be Promoters of the proposed Act thereby referred to for all the Purposes of this Act, notwithstanding the Person subscribing such Statement shall have signed for and on behalf of any other Party.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. CXXX.

An Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the British Colonies on the Continent of South America, in the West Indies and the Mauritius, for certain Purposes.—[5th September 1845.]

§ I. Her Majesty may guarantee Interest, not exceeding Four per Cent., on Loans raised for the Purposes herein mentioned, not exceeding 500,000*l.* II. Treasury may determine Amounts to be raised, and the Mode of charging the same on the Colonial Revenues.—III. Advances out of Consolidated Fund of United Kingdom to be charged on Revenues of Colonies. IV. Certificate of Amount paid out of Consolidated Fund to be sent to Colonies. V. Accounts to be laid before Parliament.

CAP. CXXXI.

An Act to amend, and continue until the First Day of November One thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament, an Act to make Provision for the Treatment of poor Persons afflicted with Fever in Ireland.—[5th September 1848.]

CAP. CXXXII.

An Act for the Appointment of additional Taxing Masters for the High Court of Chancery in Ireland, and to regulate the Appointment of the Principal Assistants to the Masters in the Superior Courts of Law in Ireland.—[5th September 1848.]

CAP. CXXXIII.

An Act to amend the Laws relating to Savings Banks in Ireland.—[5th September 1848.]

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED,

Passed in the FIRST Session of the FIFTEENTH Parliament of the United Kingdom of *Great Britain and Ireland*.

11° & 12° VICT.

- i. **A**N Act for better assessing and collecting the Poor Rates, Lighting, Watching, and Highway Rates, in the Parish of *Kettering* in the County of *Northampton*.
- ii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Leicester* to establish a general Cemetery for such Borough.
- iii. An Act for the Consecration of a Portion of the *Manchester* General Cemetery.
- iv. An Act for extending the Time for building a Bridge over the River *Avon* from *Clifton* to the opposite Side of the River in the County of *Somerset*.
- v. An Act to authorize the Company of Proprietors of the *Leicester* Navigation to abandon the Railways or Stone Roads and Water Levels commonly known as "The Forest Line," and to enable them to sell the Lands over which the same passes, and the Reservoir and other Works connected therewith.
- vi. An Act for supplying the Parish and Township or Borough of *Folkestone* with Water.
- vii. An Act to enable the Company of Proprietors of *Lambeth* Waterworks to construct additional Works, and for better supplying the Inhabitants of the Parish of *Lambeth* in the County of *Surrey* and other Parishes and Places with Water.
- viii. An Act for the better supplying with Water the Royal Burgh of *Stirling* and Suburbs thereof.
- ix. An Act to enable the *Birkenhead* Dock Company to sell or lease their Land.
- x. An Act to authorize the Trustees of the *Liverpool* Docks to build Warehouses, to construct additional Wet Docks and other Works, and for other Purposes.
- xi. An

- xi. An Act for constructing and maintaining a Pier, Jetty, or Stage, with necessary Approaches thereto, at *Dover* in the County of *Kent*.
- xii. An Act for lighting with Gas the Township of *Morley* in the Parish of *Batley* in the West Riding of the County of *York*.
- xiii. An Act for amending "The *Bristol and Clifton* Gaslight Act, 1847."
- xiv. An Act for incorporating the *Southampton* Gaslight Company, and for supplying at a limited Price the Town and Neighbourhood of *Southampton* with Gas.
- xv. An Act to amend and enlarge the Provisions of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for better supplying with Gas the City of Worcester and the Suburbs thereof*, and to enable the *Worcester New Gaslight Company* incorporated by the said Act to raise a further Sum of Money.
- xvi. An Act for providing a Market for the Sale of Cattle and other Animals in the Borough of *Shrewsbury* in the County of *Salop*.
- xvii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Third, for establishing and governing the *Magdalen Hospital*.
- xviii. An Act for the Regulation of certain public Suffrance Wharves in the Port of *London*.
- xix. An Act to effect an Agreement between the Visitors of the Lunatic Asylum for the County of *Leicester* and the Corporation of the Borough of *Leicester*, for the Admission of Lunatic Paupers from the said Borough into the said Asylum.
- xx. An Act for the Incorporation, Establishment, and Regulation of "*Price's Patent Candle Company*," and for enabling the said Company to purchase and work Letters Patent.
- xxi. An Act to authorize certain Alterations in the *Hitchin, Northampton, and Huntingdon* Extension of the *Midland Railways*; and for other Purposes.
- xxii. An Act for enabling the *North-western Railway Company* to make certain Alterations and Diversions in the Main Line of their Railway at *Skipton, Casterton, and Sedburgh*, and in the *Lancaster Branch* of their Railway at *Bulk*.
- xxiii. An Act to authorize the leasing of the *Aberdare Railway*, with the Branch Railway and Works connected therewith, to the *Taff Vale Railway Company*.
- xxiv. An Act for enabling the *York, Newcastle, and Berwick Railway*

Railway Company to improve their Main Line of Railway, and to make certain Branches in the County of *Durham*; and for other Purposes.

xxv. An Act to empower the *North British* Railway Company to raise additional Capital for certain Purposes.

xxvi. An Act to enable the *Kendal and Windermere* Railway Company to raise a further Sum of Money, and to amend the Act relating to such Railway.

xxvii. An Act for enabling the *South Wales* Railway Company to hold Shares in the Undertaking of the *Vale of Neath* Railway Company; and for other Purposes.

xxviii. An Act for enabling the *Bristol and Exeter* Railway Company to purchase the *Glastonbury* Navigation and Canal, and for amending the Acts relating to such Railway and Canal.

xxix. An Act to amend the Acts relating to the *Waterford, Wexford, Wicklow, and Dublin* Railway, and to enable the *South Wales* Railway Company to subscribe thereto.

xxx. An Act to enable the *Norfolk* Railway Company to raise a further Sum of Money, and for other Purposes.

xxxi. An Act for abolishing the Duties now payable under the Act of 7 *George* I., commonly called *Saint George's* Chapel Act, and for otherwise varying the Provisions thereof, and enacting other Duties and Provisions in lieu thereof.

xxxii. An Act to raise a further Sum of Money for the Court House and Offices at *Hamilton*, and to alter the Mode of assessing and levying certain Rates and Assessments in the County of *Lanark*.

xxxiii. An Act for removing and regulating the Markets and Fairs held in the Borough and Liberties of *Oswestry*, and for completing and providing convenient Market Places and Places for Fairs, with proper Approaches thereto.

xxxiv. An Act for maintaining and improving the Harbour of *Looe* in the County of *Cornwall*, and for taking down the present Bridge between *East* and *West Looe* across the said Harbour, and erecting a new Bridge instead thereof.

xxxv. An Act for maintaining, regulating, and improving the Harbour of *Barrow* in the County Palatine of *Lancaster*.

xxxvi. An Act for better supplying with Water the Borough of *Derby*, and certain Parishes and Places adjacent thereto, in the County of *Derby*.

xxxvii. An Act to amend Three Acts of His Majesty King *George* the Third, and another Act of His late Majesty King *William* the Fourth, for amending certain Milc-ways leading to *Oxford*, and making Improvements in the University

- University and City of *Oxford*, the Suburbs thereof, and adjoining Parish of *Saint Clement*; and for other Purposes.
- xxxviii. An Act to amalgamate the *Liverpool* Gaslight Company and the *Liverpool* New Gas and Coke Company.
- xxxix. An Act to amend and enlarge the Powers of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, and of an Act passed in the Sixth Year of the Reign of Her present Majesty, for supplying the Towns of *Old* and *New Brentford* in the County of *Middlesex*, and other Places therein mentioned, with Gas.
- xl. An Act to repeal the Provisions of Two several Acts for lighting with Gas the Town of *Brightelmstone* in the County of *Sussex*, and for making other Provisions in lieu thereof.
- xli. An Act to authorize the Company of Proprietors of the *Forth and Clyde* Navigation and the *Airdrie and Coatbridge* Water Company to enter into Agreements for certain Purposes.
- xlii. An Act to enable the *Herculaneum* Dock Company to sell or lease Lands at *Torteth Park* in the County of *Lancaster*.
- xliii. An Act for facilitating the Transfer of the *Bristol* Docks to the Mayor, Aldermen, and Burgesses of the City of *Bristol*, and for other Purposes.
- xliv. An Act for the further Extension and Improvement of the Ferry, Harbours, Piers, and other Works at *Queensferry* on the *Frith of Forth*; and for certain other Purposes connected therewith.
- xlv. An Act for establishing direct Steam Communications across the River *Tyne* between the Towns of *North* and *South Shields*, and between other Places in the Counties of *Durham* and *Northumberland*.
- xlvi. An Act for incorporating the *North of Scotland* Fire and Life Assurance Company, under the Name of "The *Northern* Assurance Company;" for enabling the said Company to sue and be sued, and to take, hold, and transfer Property; for confirming the Rules and Regulations of the said Company; and for other Purposes relating thereto.
- xlvi. An Act for enabling "The Patent Galvanized Iron Company" to purchase and work certain Letters Patent.
- xlvi. An Act for repealing an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for making a Road from *Battle Bridge* to *Holloway* in the County of *Middlesex*.
- xlix. An Act for repairing the Road from *Nantwich* to *Whelock Wharf* in the County Palatine of *Chester*; and to repeal

an Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George the Third*; and to continue and extend the Trust.

- l. An Act to amend an Act passed in the Eleventh Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for repairing and maintaining the Roads from the Town of Dundalk in the County of Louth to the Towns of Castle Blayney and Carrickmacross in the County of Monaghan*.
- li. An Act for repealing an Act of the Ninth Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act for making, repairing, and improving certain Roads leading to and from Truro in the County of Cornwall*, and for making other Provisions in lieu thereof; for forming, vesting, and improving certain Roads; and for continuing and extending the *Truro Turnpike Trust*.
- lii. An Act to enable the *Dundee and Perth Railway Company* to make a Junction Line of Railway into the Royal Burgh of *Dundee*.
- liii. An Act to continue and amend the Act relating to the *Drumpeller Railway*.
- liv. An Act to enable the *Arbroath and Forfar Railway Company* to raise a further Sum of Money.
- lv. An Act for enabling the *York, Newcastle, and Berwick Railway Company* to deviate or alter Part of their *Thirsk and Malton Branch Railway*, and to abandon Part of the same; and for other Purposes.
- lvi. An Act for enabling the *Leeds and Thirsk Railway Company* to make a Railway from *Melmerby* to *Northallerton*, and to form a Junction with the *York and Newcastle Railway*.
- lvii. An Act for enabling the *Leeds and Thirsk Railway Company* to alter the Levels of certain Portions of the *Leeds and Hartlepool Railway*, and to alter the proposed Junctions with the *Stockton and Darlington Railway* in *Eaglescliffe*; and for other Purposes.
- lviii. An Act for enabling the *Manchester South Junction and Altrincham Railway Company* to provide additional Station Accommodation in *Manchester*; and for other Purposes.
- lix. An Act to authorize the *Oxford, Worcester, and Wolverhampton Railway Company* to raise a further Sum of Money; and for other Purposes.
- lx. An Act to enable the *Chester and Holyhead Railway Company* to purchase, hire, and use Steam Boats; and for other Purposes.
- lxi. An Act to enable the *Waterford and Kilkenny Railway Company* to make certain Deviations in the authorized Line of the said Railway; and to amend the Act relating thereto.
- lxii. An

- lxii. An Act to alter the Line of the *Great Grimsby* Branch of the *East Lincolnshire* Railway, and to amend and enlarge the Provisions of the Acts relating to the *East Lincolnshire* Railway.
- lxiii. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Railway to *Burnsley*, with Branches therefrom, all in the West Riding of the County of *York*.
- lxiv. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make improved Communications to their Station in *Manchester*.
- lxv. An Act to authorize the *South Yorkshire, Doncaster, and Goole* Railway Company to construct a Branch Railway to the *Great Northern* Railway at *Doncaster*.
- lxvi. An Act to authorize certain Alterations of the *North Staffordshire* Railway.
- lxvii. An Act to enable the *Aberdeen* Railway Company to raise a further Sum of Money.
- lxviii. An Act for enabling the *Leeds and Thirsk* Railway Company to make a Railway by *Harrogate* to *Pateley*; and for other Purposes.
- lxix. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to carry the Line of their Railway across *Sheffield Street* in *Manchester*, to increase their Station Accommodation at *Manchester* and *Stalybridge*, and for other Purposes.
- lxx. An Act to enable the *Edinburgh and Glasgow* Railway Company to make certain Branches, and to alter the Tunnel at *Glasgow*; and for other Purposes.
- lxxi. An Act for making a Railway Station on the North Side of the River *Aire* in *Leeds*, in the West Riding of the County of *York*, to be called "The *Leeds Central* Railway Station."
- lxxii. An Act to enable the *Scottish Midland Junction* Railway Company to make Branch Railways to *Birnam* and to the *Dunkeld* Branch of the *Scottish Midland Junction* Railway, and also to abandon Portion of the original Line of the said *Dunkeld* Branch.
- lxxiii. An Act to enable the *Caledonian* Railway Company to improve the *Glasgow, Garnkirk, and Coatbridge* and the *Clydesdale Junction* Railways.
- lxxiv. An Act for making a Railway from the *Berks and Hants* Railway at *Hungerford* to join the Line of the *Wilts, Somerset, and Weymouth* Railway at *Westbury* and *Devizes*.
- lxxv. An Act for authorizing certain Deviations in the Line of the *Windsor, Staines, and South-western* Railway.
- lxxvi. An Act to make a Deviation in the authorized Line of the

- the *Midland Great Western Railway of Ireland*, and to amend the Acts relating to the Company.
- lxxvii. An Act to enable the *Bristol and Exeter Railway Company* to make a Branch Railway from the *Bristol and Exeter Railway* in the Parish of *Bleadon* to the City of *Wells*, the Town of *Glostonbury*, and the Parish of *Street*, all in the County of *Somerset*.
- lxxviii. An Act to enable the *Glasgow, Paisley, and Greenock Railway Company* to make a certain Branch Railway; and to amend the Acts relating to the said Railway.
- lxxix. An Act to authorize the Abandonment of a Portion of the *Londonderry and Enniskillen Railway*, and the Enlargement of the intended Station at *Londonderry*; and for other Purposes.
- lxxx. An Act to enable the *Whitehaven Junction Railway Company* to extend their Railway from the present Terminus thereof at *Whitehaven* to the Patent Slip Yard in *Whitehaven*, to make Branches to *Whitehaven Harbour*, to deviate the Line at *Parton*, and to alter, enlarge, and extend the Company's Stations, Railways, and Works; and for other Purposes.
- lxxxi. An Act for enabling the *Hartlepool Dock and Railway Company* and the *Great North of England, Clarence, and Hartlepool Junction Railway Company* to lease their respective Railways and Works to the *York, Newcastle, and Berwick Railway Company*.
- lxxxii. An Act to enable the *Bristol and Exeter Railway Company* to make a Branch Railway from the Parish of *Lyng*, near the Town of *Taunton*, to join the *Wilts, Somerset, and Weymouth Railway* near *Castle Cary* in the County of *Somerset*.
- lxxxiii. An Act for making a Branch Railway from the *Churnet Valley Line* of the *North Staffordshire Railway* in the Parish of *Rocester* in the County of *Stafford* to *Ashbourne* in the County of *Derby*.
- lxxxiv. An Act to regulate the Charges for the Conveyance of Traffic on the *Glasgow, Paisley, Kilmarnock, and Ayr Railway*, and for other Purposes.
- lxxxv. An Act for making a Railway from *Exeter* to *Yeovil*, with Branches and an Extension therefrom, to be called "*The Exeter, Yeovil, and Dorchester Railway*."
- lxxxvi. An Act for vesting in the *Manchester, Sheffield, and Lincolnshire Railway Company* the Canal Navigation from *Manchester* to or near *Ashton-under-Lyne* and *Oldham*.
- lxxxvii. An Act to enable the *London and South-western Railway Company* to make a Railway from *Salisbury* to *Yeovil*,

Yeovil, with Branches to *Shaftesbury*, and to the *Exeter, Yeovil, and Dorchester* and *Wilts, Somerset, and Weymouth* Railways.

- lxxxviii. An Act to enable the *Midland* Railway Company to make certain Branches from and Enlargements of their Railway; and for other Purposes.
- lxxxix. An Act for amalgamating the *Southampton and Dorchester* Railway Company with the *London and South-western* Railway Company.
- xc. An Act to amend the Acts relating to the *London and Blackwall* Railway, and to authorize the Company to alter the Gauge of their Railway, and to make certain Improvements in the Approaches to the said Railway, and to make Branches to the *London* and *Saint Katherine's Docks*.
- xc. An Act to enable the *Whitehaven Junction* Railway Company to raise a further Sum of Money; and to amend the Act relating to the said Railway.
- xcii. An Act for improving the Steam Communication across the River *Humber* belonging to the *Manchester, Sheffield, and Lincolnshire* Railway Company; for erecting a Pier at *Kingston-upon-Hull*, and enlarging the Works at *New Holland*; for making a connecting Line near *Habrough* in the County of *Lincoln*; for regulating the Pilotage of the Port of *Great Grimsby*; and for amending the Acts relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company.
- xciii. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to construct an additional or enlarged Station at *Sheffield*, and to make a Branch Railway to the *Sheffield Canal*.
- xciv. An Act for vesting in the *Manchester, Sheffield, and Lincolnshire* Railway Company the *Sheffield Canal*.
- xcv. An Act to enable the *Plymouth Great Western* Dock Company to raise further Capital, and to authorize the *Great Western*, the *Bristol and Exeter*, and *South Devon* Railway Companies to subscribe to the *Plymouth Great Western Docks*; and for other Purposes.
- xcvi. An Act to amend the Acts relating to the *Newry* Navigation.
- xcvii. An Act to enable the Warden and Assistants of the Harbour of *Dover* in the County of *Kent* to raise a further Sum of Money.
- xcviii. An Act to improve the Harbour of *Burntisland* in the County of *Fife*.
- xcix. An Act for constructing a Harbour at *Leck Robie*, and for

- for maintaining the Harbour of *Little Ferry*, both in the County of *Sutherland*.
- c. An Act for establishing a general Cemetery for the Interment of the Dead in the Parish of *Saint Mary on the Hill* in the City of *Chester*.
- ci. An Act to alter, amend, and enlarge the Powers and Provisions of "The *Manchester Corporation Waterworks Act, 1847*."
- cii. An Act to amend, extend, and enlarge the Powers of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for better lighting, cleansing, sewerage, and improving the Borough of Leeds in the County of York*; and to give to the Mayor, Aldermen, and Burgesses of the said Borough further and more effectual Powers for draining and sewerage the said Borough.
- ciii. An Act for dissolving and facilitating the Winding-up of the Affairs of "The Patent Galvanized Iron Company," trading under the Firm or Style of *Malins and Rawlinsons*.
- civ. An Act to amend the Acts for improving the Drainage and Navigation of the Middle Level of the Fens, and for other Purposes connected therewith.
- cv. An Act to enable *Low's Patent Copper Company* to work certain Letters Patent.
- cvi. An Act for incorporating the *Scottish Provident Institution*, for confirming the Laws and Regulations thereof, for enabling the said Society to sue and be sued, to take and to hold Property; and for other Purposes relating to said Society.
- cvii. An Act to amend and continue the Term of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to continue the Term of an Act passed in the Parliament of Ireland in the Thirty-fifth Year of His present Majesty, for improving and repairing the Turnpike Road leading from Dublin to Mullingar, and for repealing the several Laws heretofore made relating to the said Road*.
- cviii. An Act for authorizing the Trustees of the *Tadcaster and Halton Dial Turnpike Road* to make a Diversion or Alteration of such Part of the Line of the *Tadcaster and Halton Dial Turnpike Road* as lies in the Parish of *Tadcaster* in the West Riding of the County of *York*.
- cix. An Act to enable the President, Vice-Presidents, Treasurer, and Members of the *Philanthropic Society* to sell and grant Leases of the Lands belonging to them, and to purchase other

- other Lands; and for other Purposes relating to the said Society.
- cx. An Act to incorporate the Members of the Institution called "The Orphan Working School," now established at *Haverstock Hill, Hampstead Road*, in the County of *Middlesex*, and to enable them the better to carry on their charitable Designs.
- cx. An Act to alter and amend some of the Provisions of the Acts relating to the *London and Blackwall* Railway Company.
- cxii. An Act to enable the *Edinburgh and Northern* Railway Company to make Branch Railways to *Roscobie, Keltyhead, and Glencraig*; and for certain other Purposes.
- cxiii. An Act for more effectually watching, cleansing, and lighting the Streets of the City of *Edinburgh* and adjoining Districts, for regulating the Police thereof, and for other Purposes relating thereto.
- cxiv. An Act to amend the Acts relating to the *Great Northern* Railway Company; and to enable the Company to make an Extension of their Railway from the Parish of *Saundby* in *Nottinghamshire* to the *Askern* Branch of the *Wakefield, Pontefract, and Goole* Railway in the Parish of *Owston* in the West Riding of *Yorkshire*, with a Branch to rejoin the *Great Northern* Railway in the Parish of *Snaith* in the said West Riding.
- cxv. An Act for enabling the *Lancashire and Yorkshire* Railway Company to make certain Modifications of their Share Capital; and for other Purposes.
- cxvi. An Act to enable the *Edinburgh and Bathgate* Railway Company to extend their *Whitburn* Branch, and to alter or deviate their *Uphall and Binnie* Branch.
- cxvii. An Act to authorize a Deviation in the Line of the *Londonderry and Coleraine* Railway, and to amend the Act relating thereto.
- cxviii. An Act to facilitate the Construction of the *Cowlairs* Branch of the *Glasgow, Airdrie, and Monklands Junction* Railway by the *Edinburgh and Glasgow* Railway Company, and to grant further Powers to that Company.
- cxix. An Act to enable the *Royston and Hitchin* Railway Company to extend their Line of Railway from *Royston* to *Shepreth*, and to make a Deviation of the authorized Line at *Hitchin*.
- cxx. An Act to amend the Provisions of the *Newport and Pontypool* Railway Act, 1845.
- cxxi. An Act to enable the *Caledonian* Railway Company to extend their Railway across the River *Clyde* at *Glasgow*, and to form a Station in that City.

cxxii. An

- cxix. An Act for the Amendment and Continuation of the Burgh Customs, and Water, Shore, and Harbour Rates, of the Burgh of *Dunbar*, and for other Purposes connected with the said Burgh, and the Supply of Water to the same, and the Harbour thereof.
- cxx. An Act to provide for the Municipal and Police Government of the Burgh of *Leith*, and for other Purposes relating thereto.
- cxxi. An Act for the better carrying on the Affairs of the Grand Canal Company.
- cxxii. An Act for enabling the *London and South-western* Railway Company to effect certain Extensions and Deviations at *Godalming*, *Cosham*, *London Bridge*, *Southampton*, and *Poole*, and certain Arrangements respecting Steam Packets; and for other Purposes.
- cxxiii. An Act to enable the *Furness* Railway Company to raise a further Sum of Money, and to purchase Steam Vessels, and for the Amendment of the Acts relating to the said Company.
- cxxiv. An Act to authorize certain Deviations in the Main Line of the *Stirling and Dunfermline* Railway, and for other Purposes.
- cxxv. An Act to enable the *Whitehaven and Furness Junction* Railway Company to deviate or extend their Line of Railway from *Silecroft* to *Forfield*, and to abandon a Portion of their Line between *Silecroft* and *Ireth*; to make Branches to *Whitehaven* Harbour; and for other Purposes.
- cxxvi. An Act to enable the *Dundee and Arbroath* Railway Company to make a Junction Line of Railway into the Royal Burgh of *Dundee*.
- cxxvii. An Act for enabling the *London and North-western* Railway Company to make a Branch Railway from the *Coventry and Nuneaton* Line, in the Parish of *Ewhall*, to the *Craven* Colliery; and another Branch Railway from the same *Coventry and Nuneaton* Line at *Bedworth* to the *Mount Pleasant* Colliery; to construct a new Approach Road to the Station of the *London and North-western* Railway at *Tamworth*; and to enlarge the *Rugby* Station of the last-mentioned Railway, all in the County of *Warwick*; and for other Purposes.
- cxxviii. An Act to enable the *Midland* Railway Company to construct a Railway from *Gloucester* to *Stonehouse*, and for other Purposes connected with the *Bristol and Gloucester* Line of the *Midland* Railway.
- cxxix. An Act to alter and amend the Acts relating to the *Newry and Enniskillen* Railway Company, and to enable them

- them to make Arrangements with other Railway Companies.
- cxliii. An Act to authorize an Alteration of the Line of the *Oxford, Worcester, and Wolverhampton* Railway; and for other Purposes.
- cxliiii. An Act to amalgamate the *Monkland and Kirkintilloch, Ballochney, and Slamannan* Railways.
- cxliiii. An Act for making a Railway from the *Great Western* Railway near *Slough* to the Town of *New Windsor* in the County of *Berks*.
- cxliiii. An Act for making an Alteration in the *New Cross* Station; and for amending the Powers and Provisions of the several Acts relating to the *London, Brighton, and South Coast* Railway.
- cxliiii. An Act to enable the Trustees of the *Worcester* Turnpike Road to make certain new Roads, and to improve and more effectually maintain the several Roads leading into and from the City of *Worcester*.
- cxliiii. An Act for establishing a Market and Fair in the Borough of *Avon* otherwise *Aberavon* in the County of *Glamorgan*.
- cxliiii. An Act for the better regulating and improving the Port and Harbour of *New Ross* in the Counties of *Wexford* and *Kilkenny*.
- cxli. An Act for better paving, lighting, watching, sewerage, draining, cleansing, and otherwise improving the Town and Neighbourhood of *Huddersfield*, in the West Riding of the County of *York*, for maintaining an efficient Police, and removing and preventing Nuisances and Annoyances therein.
- cxli. An Act for the Improvement of the Borough of *Londonderry*.
- cxlii. An Act for incorporating "The West of *England* and *South Wales* Land Draining Company;" and for enabling Owners of limited Interests in Land to charge the same for the Purposes of Drainage, Irrigation, Warping, Embankment, Reclamation, Inclosure, and Improvement.
- cxliii. An Act to improve the River *Nene* and *Wisbeck* River, and the Drainage of Lands discharging their Waters into the same.
- cxliiii. An Act to alter and amend the several Acts relating to the *Birkenhead* Commissioners Docks, and to transfer the several Powers of the said Commissioners to a Corporate Body to be entitled "The Trustees of the *Birkenhead* Docks;" and for other Purposes.
- cxliiii. An Act for continuing the Term of an Act passed in the

Eighth Year of the Reign of his Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and maintaining the Road from Hulme, across the River Irwell, through Salford, to Eccles, in the County Palatine of Lancaster, and a Branch of Road communicating therewith*, so far as relates to the Road from *Hulme* to *Eccles*, for the Purpose of enabling the Trustees to pay off the Debt now due on the said Roads.

- cxlvi. An Act for altering and amending an Act passed for maintaining the Road from *Crossford Bridge* to *Manchester*, and a Branch connected therewith.
- cxlvii. An Act for more effectually repairing and maintaining the Road from *Richmond* to *Reeth* in the County of *York*.
- cxlviii. An Act to enable the *Wishaw and Coltness* Railway Company to divert and improve certain Portions of their Line.
- cxlix. An Act to enable "The Timber Preserving Company" to purchase and work certain Letters Patent, and for confirming the same.
- cl. An Act for draining, warping, and otherwise improving *Thorne Moor* in the West Riding of *Yorkshire*.
- cli. An Act to authorize the Endowment and Consecration of a new Chapel at *Marlborough*, and the Annexation of the same to *Marlborough College*.
- clii. An Act to amend the Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof.
- cliii. An Act for the Establishment of the "Farmers Estate Society of *Ireland*."
- cliv. An Act to enable the *Dundee and Perth* Railway Company to take a Lease of the Undertaking of the *Dundee and Arbroath* Railway Company, and to amend the Acts relating to such Companies respectively.
- clv. An Act for making a Railway from *Paisley* to *Barrhead*, with certain Branch Railways therewith connected, to be called "The *Paisley, Barrhead, and Hurlet* Railway."
- clvi. An Act to make a Deviation in the authorized Line of the *Manchester, Buxton, Matlock, and Midlands Junction* Railway, together with a Branch to *Bakewell*.
- clvii. An Act to amend the Acts relating to the *Exeter and Exmouth* Railway Company.
- clviii. An Act to enable the *Great Western* Railway Company to construct a Loop Line from the *Birmingham and Oxford Junction* Railway through the Town of *Leamington*; and for other Purposes.

clix. An

- clix. An Act to confer additional Powers on the *Great Western* Railway Company with reference to an Agreement of the Twelfth of *November* 1846, for the purchase by them of the *Birmingham and Oxford Junction* and *Birmingham, Wolverhampton, and Dudley* Railways.
- clx. An Act to enable the *Edinburgh and Glasgow* Railway Company to hold Shares in the *Edinburgh and Bathgate* Railway Company ; and for other Purposes.
- clxi. An Act for the more effectually paving, lighting, watching, draining, cleansing, and otherwise improving the Town and Neighbourhood of *Walsall* in the County of *Stafford*, for improving the Markets, and for the better assessing the Poor's Rates, Highway Rates, Church Rates, and other Local Rates within the Parish of *Walsall* in the said County.
- clxii. An Act for granting further Powers to the *Clerkenwell* Improvement Commissioners for the Purpose of enabling them to complete the new Street and the Improvements connected therewith.
- clxiii. An Act to provide for the Sanatory Improvement of the City of *London* and the Liberties thereof, and for the better cleansing, sewerage, paving, and lighting the same.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. **A**N Act to authorize the feuing of the Glebe Lands of the Parish of *Govan* in the County of *Lanark*.
2. An Act for authorizing the Trustees of the Will of the late *Calmady Pollexfen Hamlyn* Esquire, under the Direction of the Court of Chancery, to pull down the Mansion or Dwelling House at *Paschoe* in the County of *Deron*, Part of the Estates devised by the said Will, and to rebuild the same, and to raise Money for those Purposes by Mortgage of the said Estates ; and for making Provision for the Payment of the Principal Monies so raised ; and for other Purposes.
3. An Act for confirming an Exchange of certain Lands in the Parish of *Wilton* in the County of *Somerset*, heretofore Part
of

of the Augmentation of the Perpetual Curacy of *Hill Bishops* otherwise *Bishops Hull* in the same County, for certain Lands in the Parish of *Staplegrove* in the same County, and for other Purposes.

4. An Act to authorize the Sale to the Right Honourable *George Harry Earl of Stamford and Warrington* of certain Freehold and Leasehold Hereditaments in the County of *Salop* devised by the Will of *Polly Hale* Widow, deceased, and for directing the Investment of the Purchase Money in other Hereditaments, to be settled in like Manner.
5. An Act to authorize Grants in Fee and Leases for long Terms of Years, for Building Purposes, of the devised Estate of *John Newton Esquire*, deceased, situate at *Gorton* in the Parish of *Manchester* in the County of *Lancaster*.
6. An Act for enabling Sales, Leases, and Mortgages to be made of certain Estates in the County of *York*, heretofore belonging to *John Fullerton*.
7. An Act to enable the Trustees of the Will of *Edward Jessop* the elder to sell the Estates devised by such Will, and to lay out the Money to arise therefrom in the Purchase of other Estates under the Direction of the Court of Chancery.
8. An Act for enabling Leases and Sales to be made of an Estate at *Horton* in the Parish of *Bradford* in the County of *York*, holden upon the Trusts of the Will of *Jacob Hudson* deceased.
9. An Act to enable Sir *William Miller* of *Glenlee* and *Barskimming*, Baronet, Heir of Entail in possession of the Lands and Estates of *Glenlee*, *Barskimming*, and others, lying in the Stewartry of *Kirkcudbright* and County of *Ayr*, to exchange certain Portions of the said Estates, and to sell certain Parts thereof, for the Payment and Extinction of the Debts, Obligations, and Burdens affecting the same.
10. An Act for incorporating the Governors and Trustees of the united Charities of *Nathaniel Waterhouse*, appointed by virtue of an Act passed in the Seventeenth Year of the Reign of King *George the Third*, intituled *An Act for uniting and better regulating the Charities of Nathaniel Waterhouse within the Town and Parish of Halifax in the West Riding of the County of York*; and amending the Powers and Provisions of the said Act, and granting other Powers and Provisions enabling the Governors and Trustees of the said united Charities, when incorporated, to sell and to convey Parts of the Lands of the Charity Estates, make Exchanges of the Lands of the said Estates for other Lands, lease Mines, fell Timber, and effect Improvements; and for regulating the Application of the Revenues, Rents, and Income of the said

said Estates, and enlarging the charitable Uses of the said Charities; and for other Purposes concerning the same.

11. An Act to provide for the better Administration of certain Charities in the Parish of *Sandbach* in the County of *Chester*, and the Distribution of the Income thereof, and for vesting the Estates and Property belonging to the Charities in new Trustees, and to enable the Trustees to grant Leases of the Charity Estates; and for other Purposes.
12. An Act to alter and amend an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, for enabling the Trustees of the Will of *Francis* late Duke of *Bridgewater* to carry into execution certain Articles of Agreement entered into by them with the Right Honourable *Francis Egerton* now Earl of *Ellesmere*.
13. An Act for the Sale of the Glebe Lands belonging to the Rectory of *Woolwich* and the Parish Church of *Saint Mary Woolwich* in the County of *Kent*, and to confirm the Building Leases of such Lands, and for Endowment of a new Ecclesiastical District; and for other Purposes.
14. An Act for extending certain Powers of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for enlarging the Powers contained in the Will of Sir John Ramsden Baronet, deceased, to grant Leases of the Hereditaments in the Townships of Huddersfield, Honley, Dalton, and Almondbury devised by such Will, and for other Purposes*, to the Hereditaments in the Parishes of *Almondbury, Kirkheaton, and Huddersfield* comprised in the Settlement made on the Marriage of *John Charles Ramsden* Esquire, deceased, and for other Purposes.
15. An Act to authorize the granting of Building Leases for Ninety-nine Years of Parts of the Trust Estates of the Will of the late *Charles Robert Blundell* Esquire, situate in the Parishes of *Sefton, Walton on the Hill, and North Meols* in the County of *Lancaster*, and to lease Waste Lands and Coal and other Mines, and to exchange certain detached and intermixed Lands, other Parts of the said Trust Estates.
16. An Act for granting Building and other Improvement Leases of the Settled Estates of the Right Honourable *George Augustus Frederick Charles* Earl of *Sheffield*, situate in the Parishes of *Newhaven and Bishopstone* in the County of *Sussex*.
17. An Act to amend a Settlement made by the most Honourable the Marquess and Marchioness of *Londonderry* and the Honourable Viscount *Seaham*; and for other Purposes therein mentioned.

18. An

18. An Act for compromising certain Suits and Claims affecting Parts of the Estates of the late Marquess of *Antrim*, and for settling certain Lands intermixed with Parts of such Estates.
19. An Act for vesting the Two undivided Sixth Shares of *Christopher Alderson* a Lunatic, and *Mary Alderson* Spinster, a Person of unsound Mind, as Two of the Six Children of *Christopher Alderson Alderson* deceased, in certain Freehold Estates in the Counties of *Middlesex*, *Hertford*, and *York*, in Trustees, in whom the other Four undivided Sixth Shares are now vested, upon Trust for Sale.
20. An Act to alter and amend certain Powers of leasing contained in the last Will and Testament of the late Most Honourable *John Crichton Stuart*, Marquess of *Bute* and Earl of *Dumfries* deceased.
21. An Act for altering an Act made and passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty Queen *Victoria*, for enabling the Master and Brethren of the Hospital of *Saint Mary the Virgin* within the Borough of *Newcastle-upon-Tyne* to grant Leases of their Estates; and for other Purposes.
22. An Act for the Relief of the Right Honourable *Richard* Earl of *Glengall*, in respect of his Estates in the Counties of *Waterford* and *Tipperary* in *Ireland*, and for vesting the same Estates in Trustees for effecting such Relief.

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A
COLLECTION
OF THE
PUBLIC GENERAL STATUTES
AFFECTING SCOTLAND,

PASSED IN THE
TWELFTH AND THIRTEENTH YEAR

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the SECOND SESSION of the FIFTEENTH PARLIAMENT
of the United Kingdom of *Great Britain and Ireland.*

WITH

GENERAL INDEX,

AND TABLES OF ALL THE GENERAL, LOCAL, AND PRIVATE ACTS
PASSED IN THE ABOVE SESSION.



Printed by Authority of
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BY WILLIAM BLACKWOOD AND SONS,
EDINBURGH.

1849.

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AND. RUTHERFURD.

LONDON, 31st *March* 1848.

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THE
PUBLIC GENERAL STATUTES

[AFFECTING SCOTLAND.]

ANNO DUODECIMO
VICTORIÆ REGINÆ.

CAP. I.

An Act to consolidate the Boards of Excise and Stamps and Taxes into One Board of Commissioners of Inland Revenue, and to make Provision for the Collection of such Revenue.—[27th February 1849.]

WHEREAS by Her Majesty's Letters Patent under the Great Seal of the United Kingdom of *Great Britain and Ireland* certain Persons therein named have been constituted and appointed, and now are, Commissioners of Excise for the Collection and Management of the whole of Her Majesty's Revenue of Excise arising in and throughout the whole of the said United Kingdom, and the Islands and Territories thereunto respectively belonging, and by the same Letters Patent the same Persons have also been constituted and appointed, and now are, Commissioners of Stamps and Taxes: And whereas it is expedient that the several Revenues, Duties, Matters, and Things under the Care and Management of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively should be and remain under the Care and Management of One consolidated Board of Commissioners, to be called "The Commissioners of Inland Revenue:" Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the

*Inland
Revenue.*
—

Lords

The Boards of Commissioners of Excise and Commissioners of Stamps and Taxes to be One Consolidated Board of Commissioners of Inland Revenue.

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Persons so as aforesaid appointed and now being Commissioners of Excise and Commissioners of Stamps and Taxes respectively shall, without any further Commission or Authority than this Act, become and be One consolidated Board of Commissioners, and be called "The Commissioners of Inland Revenue;" and from henceforth all the several Revenues, Duties, Matters, and Things which at the Time of the passing of this Act are collected by or are under the Care and Management of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively shall respectively be collected by and shall be under the Care and Management of the Commissioners of Inland Revenue constituted by this Act, or to be appointed as herein-after directed, in the same Manner as such Revenues, Duties, Matters, and Things respectively have heretofore been collected by or have been under the Care and Management of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively; and all such Revenues and Duties shall be denominated and be deemed to be Inland Revenue.

Her Majesty to appoint Commissioners of Inland Revenue, who are to hold their Offices during Her Majesty's Pleasure.

II. And be it enacted, That it shall be lawful for Her Majesty, Her Heirs and Successors, whenever She or they shall signify Her or their Will and Pleasure that the several Persons by this Act constituted Commissioners of Inland Revenue shall cease to be such Commissioners, and from Time to Time afterwards, to appoint, under the Great Seal of the said United Kingdom, such Persons as She or they shall think fit to be Commissioners of Inland Revenue; and that as well the said Commissioners to be appointed by Her Majesty, Her Heirs or Successors, as aforesaid, as the said Commissioners by this Act constituted Commissioners of Inland Revenue, shall respectively be and remain Commissioners of Inland Revenue during Her Majesty's Pleasure, and no longer.

Powers and Authorities vested in the Commissioners of Excise and Commissioners of Stamps and Taxes respectively to be exercised by

III. And be it enacted, That the said Commissioners of Inland Revenue shall have, use, and exercise all such Powers and Authorities, judicial and otherwise, as are now given to or vested in or as might be used and exercised by the whole or any Number of the said Commissioners of Excise or of the said Commissioners of Stamps and Taxes respectively under or by virtue of any Act or Acts in force at or immediately before the Passing of this Act; and all such Powers and Authorities shall be and are hereby given to and vested in the Commissioners of Inland Revenue, as fully and effectually, to all Intents and Purposes, as if such Powers and Authorities, and

and all Clauses, Regulations, Provisions, Penalties, and Forfeitures in any Act or Acts relating thereto respectively, were severally repeated and re-enacted in this Act and made Part thereof; and all Rules, Orders, Regulations, Acts, Matters, and Things which shall be made or done by the said Commissioners of Inland Revenue, and which by any Act or Acts in force as aforesaid are or were required or authorized to be made or done, or which might be made or done by the Commissioners of Excise, or the Commissioners of Stamps and Taxes, or any Number of such Commissioners respectively, shall be and be deemed to be as good, valid, and effectual in Law, to all Intents and Purposes, as if made or done by the said Commissioners of Excise or the said Commissioners of Stamps and Taxes, or any Number of such Commissioners respectively, under or in pursuance of any such Act or Acts as aforesaid; and all Persons shall be subject and liable to the same Pains, Penalties, and Forfeitures, for doing or omitting to do any Act, Matter, or Thing contrary to any Rules, Orders, or Regulations of the said Commissioners of Inland Revenue, as such Persons respectively would have been subject and liable to for doing or omitting to do the same Act, Matter, or Thing contrary to any Rules, Orders, or Regulations of the Commissioners of Excise or the Commissioners of Stamps and Taxes respectively under or by virtue of any Act or Acts in force as aforesaid; and all Rules, Orders, and Regulations heretofore made by the said Commissioners of Excise or the said Commissioners of Stamps and Taxes respectively, in force at the Time of the passing of this Act, and which are not altered or varied by this Act, or contrary to any of the Provisions thereof, shall respectively remain and continue in full Force and Effect until the same shall be abrogated, annulled, altered, or varied by the said Commissioners of Inland Revenue.

the Commissioners of Inland Revenue.

IV. And be it enacted, That all the Powers and Authorities which by this Act are given to or vested in the Commissioners of Inland Revenue, or which shall or may at any Time hereafter be given to or vested in the said last-mentioned Commissioners, shall be and the same are hereby given to and vested in, and shall and may lawfully be used, exercised, and put in force by any Three or more of the said Commissioners of Inland Revenue: Provided always, that where by any Act or Acts of Parliament or otherwise any Act, Matter, or Thing is expressly directed or authorized to be done by any particular or prescribed Number less than Three of the Commissioners of Excise or of the Commissioners of Stamps and Taxes, or where any Act, Matter, or Thing shall at any Time hereafter be so directed or authorized to be done by any such Number less than

Powers given by this Act may be exercised by any Three or other prescribed Number of the Commissioners of Inland Revenue.

than Three of the Commissioners of Inland Revenue, every such Act, Matter, or Thing being done by such particular or prescribed Number of the Commissioners of Inland Revenue shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Chief
Office of
Inland Re-
venue,
where to
be held.

7 & 8 G. 4.
c. 53.

V. And be it enacted, That the Commissioners of Inland Revenue shall sit and keep their Chief Office at such Place as the Commissioners of Her Majesty's Treasury shall in that Behalf from Time to Time appoint, within the Limits described, designated, or referred to as the Limits of the Chief Office of Excise by an Act passed in the Eighth Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout Great Britain and Ireland*; and such Office of the said Commissioners of Inland Revenue shall be deemed and called "The Chief Office of Inland Revenue;" and the said Limits shall be deemed to be the Limits of the said Chief Office of Inland Revenue for all the Ends, Intents, and Purposes for which they are described, designated, or referred to as the Limits of the Chief Office of Excise in or by the said recited Act, or any other Act or Acts now in force.

Offices of
Receiver
General of
Excise and
Receiver
General of
Stamps
and Taxes
consoli-
dated into
One Office
of Receiver
General of
Inland Re-
venue.

VI. And whereas the Two several Offices of Receiver General of Excise and Receiver General of Stamps and Taxes are now vested in One and the same Person, and it is expedient to consolidate such Offices into One Office: Be it therefore enacted, That from and after the passing of this Act the said Two several Offices of Receiver General of Excise and Receiver General of Stamps and Taxes shall be and they are hereby consolidated into One Office of Receiver General of the said respective Revenues and Duties, and such consolidated Office shall be and the same is hereby vested in the Person in whom the said Two several Offices at the Time of the passing of this Act are vested as aforesaid; and such Person, as well as every other Person who shall at any Time hereafter be appointed to the said consolidated Office of Receiver General shall be termed "The Receiver General of Inland Revenue," and shall hold his said Office during the Pleasure of the Commissioners of Her Majesty's Treasury for the Time being, and no longer.

Offices of
Account-
ant Gen-
eral of Ex-
cise and
Account-
ant and
Comptrol-

VII. And whereas the Two several Offices of Accountant General of Excise and Accountant and Comptroller General of Stamps and Taxes are now vested in One and the same Person, and it is expedient to consolidate the said last-mentioned Offices into One Office: Be it therefore enacted, That from and after the passing of this Act the said Two several
Offices

Offices of Accountant General of Excise and Accountant and Comptroller General of Stamps and Taxes shall be and they are hereby consolidated into One Office of Accountant and Comptroller General of the said respective Revenues and Duties, and such consolidated Office shall be and the same is hereby vested in the Person in whom the said last-mentioned Two several Offices at the Time of the passing of this Act are vested as aforesaid; and such Person, as well as every other Person who shall at any Time hereafter be appointed to the said consolidated Office of Accountant and Comptroller General shall be termed "The Accountant and Comptroller General of Inland Revenue," and shall hold his said Office during the Pleasure of the Commissioners of Her Majesty's Treasury for the Time being, and no longer.

VIII. And be it enacted, That the said Receiver General of Inland Revenue shall have, use, and exercise all such Powers and Authorities as are now given to or vested in the Receiver General of Excise and the Receiver General of Stamps and Taxes respectively, under or by virtue of any Act or Acts in force at the Time of the passing of this Act, or otherwise howsoever; and the said Accountant and Comptroller General of Inland Revenue shall have, use, and exercise all such Powers and Authorities as are now given to or vested in the Accountant General of Excise and the Accountant and Comptroller General of Stamps and Taxes respectively under or by virtue of any such Act or Acts as aforesaid, or otherwise howsoever; and all such respective Powers and Authorities shall be and are hereby given to and vested in the said Receiver General of Inland Revenue and the said Accountant and Comptroller General of Inland Revenue respectively, as fully and effectually, to all Intents and Purposes, as if such Powers and Authorities, and all Clauses, Regulations, Provisions, Penalties, and Forfeitures relating thereto respectively, were severally repeated and re-enacted in this Act, and made Part thereof.

IX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, whenever they shall think fit, to abolish the Office of Comptroller and Auditor of Excise created under or by virtue of an Act passed in the Fourth Year of Her present Majesty's Reign, intituled *An Act to alter and amend certain Laws relating to the Collection and Management of the Duties of Excise*; and when and so soon as the said Office shall be so abolished so much of the said recited Act as directs that the Accountant General of Excise shall annually prepare and pass before the said Comptroller and Auditor of Excise Accounts of the Produce of the Revenue of Excise shall be and the same is hereby repealed; and

ler General
of Stamps
and Taxes
consolid-
ated into
One Office.

Powers
and Authori-
ties to be
exercised
by the Re-
ceiver Gen-
eral and
Account-
ant and
Comptrol-
ler General
of Inland
Revenue
respective-
ly.

Office of
Comptrol-
ler and Au-
ditor of
Excise
may be
abolished,
and the
Accounts
of the Ex-
cise Reve-
nue be
passed be-
fore the
Commis-

sioners for
auditing
the Public
Accounts.

and the Accounts of the Revenues and Duties of Excise commencing from and after the Abolition of the said Office shall be rendered to and passed before the Commissioners for auditing the Public Accounts, in like Manner as other Public Accounts are now rendered and passed under and by virtue of the Laws and Regulations now in force; and the said Commissioners for auditing Public Accounts shall, for the Purposes aforesaid, have all the Powers and Authorities now possessed and exercised by them as Commissioners for auditing Public Accounts.

All Com-
missions
and Ap-
pointments
of Officers
under the
Commis-
sioners of
Excise and
the Com-
missioners
of Stamps
and Taxes
to remain
in force,
and the
Persons
holding the
same to be
Officers of
Inland Re-
venue.

X. And be it enacted, That all Commissions, Deputations, and Appointments at any Time heretofore granted to any Officers of or under the Commissioners of Excise or of or under the Commissioners of Stamps and Taxes, and in force at the Time of the passing of this Act, shall respectively remain and continue in full Force and Effect until the same shall be revoked or recalled by lawful Authority; and the Persons holding such Commissions, Deputations, and Appointments shall have full Power and Authority to execute the Duties of their respective Offices and Appointments, and to enforce all Laws, Regulations, Penalties, and Forfeitures relating to the Revenues and Duties for which they have respectively been appointed, as fully and effectually, to all Intents and Purposes, as they might or could do before or at the Time of the passing of this Act; and all Officers who at the Time of the passing of this Act hold their respective Offices during the Will and Pleasure of the Commissioners of Excise or of the Commissioners of Stamps and Taxes shall hereafter hold such Offices subject to the Will and Pleasure of the Commissioners of Inland Revenue, and all such Officers shall be deemed to be Officers of Inland Revenue, and be under the Control and Authority of the said Commissioners of Inland Revenue.

Bonds and
Securities
to remain
in force,
and to ex-
tend to the
Duties un-
der the
Care of the
Commis-
sioners of
Inland
Revenue.

XI. And be it enacted, That all Bonds and Securities to Her Majesty, or to the Commissioners of Excise, or the Commissioners of Stamps and Taxes, or to any Officer or Person in their respective employ, which have been heretofore given or entered into by any Persons whatsoever, either as Principals or Sureties, for securing the due accounting for or the Payment of any Duties or other Monies under the Care or Management of the Commissioners of Excise or of the Commissioners of Stamps and Taxes, or for the good Conduct of any Officer, Clerk, or other Person, or for any other Purpose whatever relating to the said Duties or Monies or any of them respectively, shall remain and continue in full Force and Effect until the Conditions of such Bonds or Securities, or the Purposes for which the same were given or entered into, shall have been
duly

duly performed, fulfilled, or accomplished; and all such Bonds and Securities, and the Conditions thereof respectively, shall extend and be deemed and construed to extend, and shall be applied to all or any other of the Revenues, Duties, Matters, and Things which under or in pursuance of this Act are or shall be placed under the Care of the Commissioners of Inland Revenue, as well as to the particular Revenues, Duties, Matters, and Things mentioned in such Bonds and Securities, or the Conditions thereof respectively.

XII. And whereas an Act was passed in the Seventh Year of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to enable Persons to make Deposits of Stock or Exchequer Bills in lieu of giving Security by Bond to the Postmaster General and Commissioners of Land Revenue, Customs, Excise, Stamps, and Taxes*, and an Act was passed in the Second Year of Her present Majesty's Reign to amend the said last-mentioned Act: Be it enacted, That the Provisions of the said recited Acts shall extend and be deemed and construed to extend to all and singular the Revenues, Duties, Matters, and Things, which now are or at any time hereafter shall be placed under the Care or Management of the Commissioners of Inland Revenue; and that any Public Stock or Exchequer Bills which shall at any Time hereafter be required to be transferred or deposited by way of Security in pursuance of the said recited Acts, with relation to any of the Revenues, Duties, Matters, or Things aforesaid, may respectively be transferred in the Books of the Governor and Company of the Bank of *England*, or deposited in the Bank of *England*, by or on behalf of the Person or Persons or Body Corporate from whom such Security may be required, into or in the Name of the Chairman for the Time being of the Commissioners of Inland Revenue, and into or in the Name or Names of such Person or Persons or Body Corporate, or of any Person or Persons appointed by him or them.

XIII. And with regard to any Public Stock or Exchequer Bills which at the Time of the passing of this Act may be standing in the Books of the Governor and Company of the Bank of *England*, or deposited in the Bank of *England*, in pursuance of the said recited Acts or either of them, in the Name of the Chairman for the Time being of the Commissioners of Excise, or of the Commissioners of Stamps and Taxes, and of any other Person or Persons, be it enacted, That it shall be lawful for the Chairman for the Time being of the Commissioners of Inland Revenue and he is hereby fully authorized and empowered to sell and transfer, or re-transfer or deliver up, all or any of such Stock or Exchequer Bills respectively,

Provisions of 6 & 7 W. 4. c. 28. and 1 & 2 Vict. c. 61. to extend to Revenues, &c. placed under Management of Commissioners of Inland Revenue.

Deposits of Stock, &c. as Securities in lieu of Bonds to be made in the Name of the Chairman of Inland Revenue.

Chairman of Inland Revenue empowered to transfer Stock deposited in the Name of the Chairman of Excise and of Stamps and Taxes respectively.

upon

upon the Certificate of any Two or more of the Commissioners of Inland Revenue, to the Purport or effect in the said Acts respectively mentioned in that Behalf, in such and the like Cases and in like Manner as the Chairman for the Time being of the Commissioners of Excise or of the Commissioners of Stamps and Taxes might lawfully have done if this Act had not been passed.

Lands and Buildings now vested in the Secretary of Excise in trust for the Public Service to be vested in the Secretary of Inland Revenue upon the like Trusts.

XIV. And be it enacted, That all Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments in the United Kingdom which have heretofore been purchased, acquired, or taken for the Use and Service of the Revenue of Excise, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, and which at or immediately before the passing of this Act are or were vested in the Secretary for the Time being of the Commissioners of Excise, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of the Revenue of Excise, shall from and immediately after the passing of this Act become and be and remain and continue vested in the Secretary for the Time being of the Commissioners of Inland Revenue, and his respective Successors, as such Secretaries as last aforesaid, according to the Nature and Quality of the said Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of the Inland Revenue, with, under, and subject to the like Powers for the selling, exchanging, letting, demising, or otherwise disposing of the said Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments, as are expressed and contained with relation thereto in any Act or Acts of Parliament now in force.

Commissioners of Inland Revenue may appoint Officers to be collectors and Receivers of several Branches of Inland Revenue.

XV. And be it enacted, That it shall be lawful for the Commissioners of Inland Revenue to nominate and appoint from Time to Time such of the Persons appointed or to be appointed Collectors or Officers for the Receipt of any Branch or Description of the Revenues or Duties under the Care or Management of the said Commissioners of Inland Revenue as the said last-mentioned Commissioners shall think proper to be also Collectors or officers for the Receipt of any One or more or all of the other Branches or Descriptions of the Revenues or Duties aforesaid, within and for such Counties, Districts, or Circuits of Receipt as the said Commissioners of Inland Revenue shall appoint in that Behalf; and all such Collectors and Officers so to be nominated and appointed as aforesaid for the Receipt of Two or more Branches or Descriptions of the said Revenues or Duties shall have, use, and exercise

cise all the Powers and Authorities vested by Law in the several Collectors and Officers for the Receipt of the same Revenues and Duties respectively.

XVI. And whereas under and by virtue of divers Acts of Parliament now in Force certain Licences are required to be taken out and obtained from the Commissioners of Excise and the Commissioners of Stamps and Taxes respectively by Persons using, exercising, or carrying on certain Trades, Professions, Callings, Occupations, or Businesses, or trading or dealing in, or vending, selling, or retailing, certain Goods, Wares, or Commodities, or keeping or using certain Articles, and by other Persons and for other Purposes in the said Acts specified; and it is expedient to provide for the granting and signing of such Licences: Be it enacted, That all or any of such Licences as aforesaid shall and may lawfully be granted and signed by such Person or Persons as the Commissioners of Inland Revenue shall appoint or authorize in that Behalf; and every such Licence which shall be so granted and signed shall be as valid and effectual for all Purposes whatsoever as it would have been if the same had been granted or signed by or under the Hands and Seals of the said Commissioners of Inland Revenue, or any Number of them, anything in any Act or Acts contained to the contrary thereof in anywise notwithstanding.

Licences
how to be
granted
and signed.

XVII. And for the better effectuating and carrying out the Purposes and Objects of this Act, be it enacted, That wherever in any Act of Parliament, or in any Bond or Security, or in the Condition thereof respectively, or in any Deed or other Instrument or Writing, or in any Rules, Orders, or Regulations relating to or concerning the several Revenues or Duties of Excise or Stamps and Taxes, or any Matter or Thing which at the Time of the passing of this Act is under the Care or Management of the Commissioners of Excise or the Commissioners of Stamps and Taxes, the several Terms and Expressions herein-after mentioned, or any of them, occur, such Terms and Expressions, so far as the same or any of them may relate to any Duties or Sums of Money, or any Fines, Penalties, or Forfeitures, which shall accrue or be incurred or be or become payable or in arrear, or to any Act, Matter, or Thing to be done or omitted to be done, or which shall take effect at any Time after the passing of this Act, shall respectively be construed and read (where such Construction shall be necessary for or shall tend to effect or promote the Purposes and Objects aforesaid, and shall not be repugnant to or inconsistent with the Facts of the Case or the Matter which may be in question,) as if the substituted Terms and Expressions herein-after mentioned

Terms used
in former
Acts, and
in written
Docu-
ments, re-
lating to
the Re-
venues of Ex-
cise or
Stamps
and Taxes,
how to be
construed
after the
passing of
this Act.

tioned were respectively inserted in such Act, Bond, Security, Condition, Deed, Instrument, or Writing, Rules, Orders, and Regulations respectively, in lieu of the said several other Terms and Expressions which have been used and do occur therein respectively; (that is to say,) for and in lieu of the several Terms and Expressions "Commissioners of Excise," "Commissioners of Stamps and Taxes," "Commissioners of Stamps," and "Commissioners for the Affairs of Taxes" respectively, or any other Term or Expression by which the said respective Commissioners, or any of them, are designated, the Term "Commissioners of Inland Revenue" shall be read and substituted; and for and in lieu of the several Terms and Expressions "Secretary of the Commissioners of Excise" and "Secretary of the Commissioners of Stamps and Taxes" respectively, or any other Term or Expression by which the said several Offices of Secretary are respectively designated, the Term, "Secretary of the Commissioners of Inland Revenue" shall be read and substituted; and for and in lieu of the several Terms and Expressions "Solicitor of Excise," "Solicitor of Stamps and Taxes," and "Solicitor of Stamps" respectively, or any other Term or Expression by which the said several Offices of Solicitor are respectively designated, the Term "Solicitor of Inland Revenue" shall be read and substituted; and for and in lieu of the several Terms and Expressions "Receiver General of Excise," "Receiver General of Stamps and Taxes," and "Receiver General of Stamp Duties" respectively, or any other Term or Expression by which the said several Offices of Receiver General are respectively designated, the Term, "Receiver General of Inland Revenue" shall be read and substituted; and for and in lieu of the several Terms and Expressions "Accountant General of Excise" and "Accountant and Comptroller General of Stamps and Taxes" respectively, or any other Term or Expression by which the said several Offices of Accountant General and Accountant and Comptroller General are respectively designated, the Term "Accountant and Comptroller General of Inland Revenue" shall be read and substituted; and for and in lieu of the several Terms and Expressions "Chief Office of Excise," "Head Office for Stamps and Taxes," and "Head Office for Stamp Duties" respectively, or any other Term or Expression by which the said several Chief or Head Offices are respectively designated, the Term "Chief Office of Inland Revenue" shall be read and substituted; and in all Proceedings at Law or in Equity touching or concerning the said Revenues, Duties, or Sums of Money, Fines, Penalties, or Forfeitures, or any other of the several Matters or Things aforesaid, every such Act, Bond,

Bond, or Security, or the Condition thereof respectively, and every such Deed, Instrument, or Writing, Rule, Order, or Regulation as aforesaid respectively may, if necessary for the Purposes and Objects aforesaid, be pleaded, as if such substituted Terms and Expressions respectively were inserted therein for and in lieu of the said other Terms and Expressions which may have been used therein respectively.

XVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. II.

An Act to continue, until the First Day of September One Thousand Eight Hundred and Forty-nine, an Act of the last Session, for empowering the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.—[27th February 1849.]

CAP. III.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One Thousand Eight Hundred and Forty-nine.—[9th March 1849.]

CAP. IV.

An Act to amend the Laws relating to the Appointment of Vice Guardians of Unions in Ireland.—[9th March 1849.]

CAP. V.

An Act to Authorize an Advance of Money for the Relief of certain distressed Poor Law Unions in Ireland.—[9th March 1849.]

CAP. VI.

An Act to repeal an Act of the Twenty-first Year of George the Second, for holding the Summer Assizes at Buckingham; and to authorize the Appointment of a more convenient Place for holding the same.—[9th March 1849.]

CAP. VII.

CAP. VII.

An Act to authorize the Inclosure of certain Lands, in pursuance of the Fourth Annual General Report of the Inclosure Commissioners for England and Wales.
—[9th March 1849.]

CAP. VIII.

An Act to remove Doubts as to the Appointment of Overseers in Cities and Boroughs.—[22d March 1849.] (England.)

CAP. IX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively, until the Twenty-fifth Day of March, One Thousand Eight Hundred and Fifty.—[3d April 1849.]

CAP. X.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
—[3d April 1849.]

CAP. XI.

An Act to amend the Laws in England and Ireland relative to Larceny and other Offences connected therewith.—[3d April 1849.]

CAP. XII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.—[3d April 1849.]

CAP. XIII.

An Act to provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being Workhouses of any Union or Parish.—[11th May 1849.] (England and Wales.)

CAP. XIV.

An Act to enable Overseers of the Poor and Surveyors of the Highways to recover the Costs of Distraining for Rates.—[11th May 1849.] (England and Wales.)

CAP. XV.

CAP. XV.

An Act to amend an Act of the Fifty-fourth Year of King George the Third, for the Recovery of small Sums due for Wages in Ireland.—[11th May 1849.]

CAP. XVI.

An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Execution of their Office.—[11th May 1849.]

CAP. XVII.

An Act to continue for Five Years so much of an Act of the Second and Third Years of Her present Majesty as enables Justices to grant Warrants for entering Places in which Spirits are sold without Licence in Ireland.—[11th May 1849.]

CAP. XVIII.

An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs.—[11th May 1849.] (England and Wales.)

CAP. XIX.

An Act to make perpetual an Act of the Tenth and Eleventh Years of Her present Majesty, for authorizing the Removal of Prisoners from the several Gaols in Ireland, in Cases of Epidemic Diseases.—[11th May 1849.]

CAP. XX.

An Act for raising the Sum of Seventeen millions seven hundred and eighty-six thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One Thousand Eight Hundred and Forty-nine.—[11th May 1849.]

CAP. XXI.

An Act to confirm certain Acts of the Legislature of Newfoundland respecting the Rebuilding of the Town of Saint John's Newfoundland, and to enable the said Legislature to make other Provisions respecting the Rebuilding of the said Town.—[24th May 1849.]

CAP. XXII.

CAP. XXII.

An Act to remove Doubts concerning the Validity of certain Grants of Land in the Colony of New South Wales.—[24th May 1849.]

CAP. XXIII.

An Act to authorize further Advances of Money for the Improvement of Landed Property, and the Extension and Promotion of Drainage and other Works of public Utility, in Ireland.—[24th May 1849.]

CAP. XXIV.

An Act to make Provision, until the Thirty-first Day of December One Thousand Eight Hundred and Fifty, for a general Rate in Aid of certain Distressed Unions and Electoral Divisions in Ireland.—[24th May 1849.]

CAP. XXV.

An Act for giving effect to the Stipulations of a Treaty between Her Majesty and the Queen of Portugal for the Apprehension of certain Deserters.—[26th June 1849.]

CAP. XXVI.

An Act for granting Relief against Defects in Leases made under Powers of Leasing, in certain Cases.—[26th June 1849.] (England and Ireland.)

CAP. XXVII.

An Act to remove Doubts concerning the Transportation of Offenders under Judgment of Death to whom Mercy may be extended in Ireland.—[26th June 1849.]

CAP. XXVIII.

An Act to enable the Commissioners of Greenwich Hospital to regulate and manage the Markets held at Greenwich in the County of Kent.—[26th June 1849.]

CAP. XXIX.

CAP. XXIX.

An Act to amend the Laws in force for the Encouragement of British Shipping and Navigation.—[26th June 1849.]

WHEREAS it is expedient to amend the Laws now in force for the Encouragement of *British Shipping and Navigation*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* One thousand eight hundred and fifty the following Acts and Parts of Acts shall be repealed; (that is to say,) a certain Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the Encouragement of British Shipping and Navigation*; and so much of a certain other Act passed in the said Session of Parliament, intituled *An Act for the Registering of British Vessels*, as limits the Privileges of Vessels registered at *Malta, Gibraltar, and Heligoland*; and so much thereof as provides that no Ship or Vessel shall be registered, except such as are wholly of the Build of some Part of the *British Dominions*; and so much as relates to the Disqualification of Ships repaired in a Foreign Country; and so much as prevents *British Ships* which have been captured by or sold to Foreigners from becoming entitled to be again registered as *British* in case the same again become the Property of *British Subjects*; and so much of a certain other Act passed in the said Session of Parliament, intituled *An Act to regulate the Trade of British Possessions abroad*, as provides that no Goods shall be imported into or exported from any of the *British Possessions in America* by Sea from or to any Place other than the United Kingdom, or some other of such Possessions, except into or from the several Ports denominated Free Ports; and so much thereof as provides for the Limitation of the Privileges allowed to Foreign Ships by the Law of Navigation in respect of Importations into the *British Possessions in Asia, Africa, and America*; and so much thereof as provides that no Vessel or Boat shall be admitted to be a *British Vessel* or Boat on any of the Inland Waters or Lakes of *America*, except such as shall have been built at some Place within the *British Dominions*, and shall not have been repaired at any Foreign Place to a greater Extent than in the said Act is mentioned; and so much of a certain other Act passed in the said Session of Parliament, intituled *An Act for the general Regulation of the*

Navigation.
 Certain Acts repealed from and after 1st January 1850.
 8 & 9 Vict. c. 88.
 8 & 9 Vict. c. 89.
 Sec. 3.
 Sec. 5.
 Sec. 7.
 Sec. 9.
 8 & 9 Vict. c. 93.
 Sec. 2.
 Sec. 4.
 Sec. 44.
 8 & 9 Vict. c. 86. s. 63.
the

the Customs, as prohibits the Importation of Train Oil, Blubber, Spermaceti Oil, Head-matter, Skins, Bones, and Fins, the Produce of Fish or Creatures living in the Sea, unless in Vessels which shall have been cleared out regularly with such Oil, Blubber, or other Produce on board from some Foreign Port; and so much thereof as prohibits the Importation of Tea, unless from the *Cape of Good Hope*, or from Places Eastward of the same to the *Straits of Magellan*; and so much of a certain Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen*, as provides that the Master or Owner of every Ship belonging to any Subject of Her Majesty, and of the Burden of Eighty Tons or upwards, (except Pleasure Yachts,) shall have on board at the Time of her proceeding from any Port of the United Kingdom, and at all Times when absent from the United Kingdom, or navigating the Seas, One Apprentice or more in a certain Proportion to the Number of Tons of his Ship's Admeasurement, and that if any such Master or Owner shall neglect to have on Board his Ship the Number of Apprentices thereby required, together with their respective registered Indentures, Assignments, and Register Tickets, he shall forfeit and pay the Sum of Ten Pounds in respect of each Apprentice, Indenture, Assignment, or Register Ticket so wanting or deficient; also an Act passed in the Thirty-seventh Year of the Reign of King *George the Third*, intituled *An Act for regulating the Trade to be carried on with the British Possessions in India by the Ships of Nations in Amity with His Majesty*; and so much of a certain Act passed in the Session of Parliament holden in the Fourth Year of the Reign of King *George the Fourth*, intituled *An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the East India Company, and to make further Provisions with respect to such Trade, and to amend an Act of the present Session of Parliament for the registering of Vessels, so far as it relates to Vessels registered in India*, as enacts that no *Asiatic* Sailors, Lascars, or Natives of any of the Territories, Countries, Islands, or Places within the Limits of the Charter of the *East India Company*, shall at any Time be deemed or taken to be *British* Seamen within the Intent and Meaning of any Act or Acts of Parliament relating to the Navigation of *British* Ships by Subjects of Her Majesty; and also the following Acts and Parts of Acts; so much of a certain Act passed in the Fourth Year of the Reign of King *George the Fourth*, intituled *An Act to authorize His Majesty,*
under

7 & 8 Vict.
c. 112. s. 37.

37 G. 3.
c. 117.

4 G. 4.
c. 80. s. 20.

4 G. 4.
c. 77.

under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels, and to exempt certain Foreign Vessels from Pilotage, as relates to the Regulation of Duties and Drawbacks; also an Act passed in the Fifth Year of the Reign of King George the Fourth, intituled An Act to indemnify all Persons concerned in advising, issuing, or acting under a certain Order in Council for regulating the Tonnage Duties on certain Foreign Vessels, and to amend an Act of the last Session of Parliament for authorizing His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in any Foreign Vessels; also so much of an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled An Act for granting Duties of Customs, as empowers Her Majesty in Council in certain Cases to direct that additional Duties shall be levied on Articles the Growth, Produce, or Manufacture of Foreign Countries, or upon Goods imported in the Ships of Foreign Countries, or to prohibit the Importation of Manufactured Articles the Produce of Foreign Countries; also so much of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled An Act to amend the Laws for the Importation of Corn, as enables Her Majesty, under certain Circumstances, to prohibit the Importation of Corn, Grain, Meal, or Flour from the Dominions of certain Foreign Powers; and the said several Acts and Parts of Acts before mentioned are hereby accordingly repealed, except so far as the said Acts or any of them repeal any former Act or Acts, or any Part of such Act or Acts, and except so far as relates to any Penalty or Forfeiture which shall have been incurred under the said Act or Acts hereby repealed or any of them, or to any Offence which shall have been committed contrary to such Act or Acts or any of them.

5 G. 4.
c. 1.

8 & 9 Vict.
c. 90. s. 8.

5 & 6 Vict.
c. 14. s. 8.

Coasting
Trade.

II. And be it enacted, That no Goods or Passengers shall be carried Coastwise from one Part of the United Kingdom to another, or from the United Kingdom to the *Isle of Man*, or from the *Isle of Man* to the United Kingdom, except in *British Ships*.

Coasting
Trade of
United
Kingdom
and Isle of
Man.

III. And be it enacted, That no Goods or Passengers shall be imported into the United Kingdom from any of the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, nor shall any Goods or Passengers be exported from the United Kingdom to any of the said Islands, nor shall any Goods or Passengers be carried from any of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man* to any other of the said Islands, nor from one Part of any of the said Islands to another Part of the same Island, except in *British Ships*.

Trade with
the Chan-
nel Islands.

IV. And

*Coasting
Trade.*

Coasting
Trade of
the British
Posses-
sions.

Queen in
Council
may regu-
late Coast-
ing Trade
of Colonies
on their
Address.

IV. And be it enacted, That no Goods or Passengers shall be carried from one Part of any *British Possession in Asia, Africa, or America*, to another Part of the same Possession, except in *British Ships*.

V. Provided always, and be it enacted, That if the Legislature or proper legislative Authority of any such *British Possession* shall present an Address to Her Majesty, praying Her Majesty to authorize or permit the Conveyance of Goods or Passengers from one Part of such Possession to another Part thereof in other than *British Ships*, or if the Legislatures of any Two or more Possessions, which for the Purposes of this Act Her Majesty in Council shall declare to be neighbouring Possessions, shall present Addresses or a joint Address to Her Majesty, praying Her Majesty to place the Trade between them on the Footing of a Coasting Trade, or of otherwise regulating the same, so far as relates to the Vessels in which it is to be carried on, it shall thereupon be lawful for Her Majesty, by Order in Council, so to authorize the Conveyance of such Goods or Passengers, or so to regulate the Trade between such neighbouring Possessions, as the Case may be, in such Terms and under such Conditions, in either Case, as to Her Majesty may seem good.

Coasting
Trade of
India to
be regu-
lated by
Governor
General in
Council.

VI. And with regard to the Coasting Trade of *India*, be it enacted, That it shall be lawful for the Governor General of *India* in Council to make any Regulations authorizing or permitting the Conveyance of Goods or Passengers from one Part of the Possessions of the *East India Company* to another Part thereof in other than *British Ships*, subject to such Restrictions or Regulations as he may think necessary; and such Regulations shall be of equal Force and Effect with any Laws and Regulations which the said Governor General in Council is now or may hereafter be authorized to make, and shall be subject to Disallowance and Repeal in like manner as any other Laws or Regulations made by the said Governor General in Council under the Laws from Time to Time in force for the Government of the *British Territories in India*, and shall be transmitted to *England*, and be laid before both Houses of Parliament, in the same Manner as any other Laws or Regulations which the Governor General in Council is now or may hereafter be empowered to make.

*British
Ships.*

No Ship
British un-
less regis-
tered and
navigated
as such.

VII. And be it enacted, That no Ship shall be admitted to be a *British Ship* unless duly registered and navigated as such; and that every *British-registered Ship* (so long as the Registry of such Ship shall be in force, or the Certificate of such Registry retained for the Use of such Ship,) shall be navigated during the whole of every Voyage (whether with a Cargo or in Ballast)

Ballast) in every Part of the World by a Master who is a *British* Subject, and by a Crew whereof Three Fourths at least are *British* Seamen ; and if such Ship be employed in a Coasting Voyage from one Part of the United Kingdom to another, or in a Voyage between the United Kingdom and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or from one of the said Islands to another of them, or from one Part of either of them to another of the same, or be employed in fishing on the Coasts of the United Kingdom or of any of the said Islands, then the whole of the Crew shall be *British* Seamen : Provided always, that if a due Proportion of *British* Seamen cannot be procured in any Foreign Port, or in any Place within the Limits of the *East India* Company's Charter, for the Navigation of any *British* Ship, or if such Proportion be destroyed during the Voyage by any unavoidable Circumstance, and the Master of such Ship make Proof of the Truth of such Facts to the Satisfaction of the Collector and Comptroller of the Customs at any *British* Port, or of any Person authorized in any other Part of the World to inquire into the Navigation of such Ship, the same shall be deemed to be duly navigated : Provided also, that every *British* Ship (except such as are required to be wholly navigated by *British* Seamen) which shall be navigated by One *British* Seaman for every Twenty Tons of the Burden of such Ship shall be deemed to be duly navigated, although the Number of other Seamen shall exceed One Fourth of the whole crew.

*British
Ships.*

Proviso.

VIII. And be it enacted, That no Person shall be deemed to be a *British* Seaman, or to be duly qualified to be Master of a *British* Vessel, except Persons of One of the following Classes ; (that is to say,) natural-born Subjects of Her Majesty ; Persons naturalized by or under any Act of Parliament, or by or under any Act or Ordinance of the Legislature or proper legislative Authority of One of the *British* Possessions, or made Denizens by Letters of Denization ; Persons who have become *British* Subjects by virtue of the Conquest or Cession of some newly acquired Country, and who have taken the Oath of Allegiance to Her Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly acquired Country came into Her Majesty's Possession ; *Asiatic* Sailors or Lascars, being Natives of any of the Territories, Countries, Islands or Places within the Limits of the Charter of the *East India* Company, and under the Government of Her Majesty or of the said Company ; and Persons who have served on board any of Her Majesty's Ships of War, in time of War, for the Space of Three Years.

What Persons to be
British
Seamen.

IX. And be it enacted, That if Her Majesty shall at any Time of Seamen

Proportion
Time

may be altered by Proclamation.

Time by Her Royal Proclamation declare that the Proportion of *British* Seamen necessary to the due Navigation of *British* Ships shall be less than the Proportion required by this Act, every *British* Ship navigated with the Proportion of *British* Seamen required by such Proclamation shall be deemed to be duly navigated, so long as such Proclamation shall remain in force.

Reciprocity

Queen may restrict the Privileges of Foreign Ships in certain Cases ;

X. And be it enacted, That in case it shall be made to appear to Her Majesty that *British* Vessels are subject in any Foreign Country to any Prohibitions or Restrictions as to the Voyages in which they may engage, or as to the Articles which they may import into or export from such Country, it shall be lawful for Her Majesty (if She think fit), by Order in Council, to impose such Prohibitions or Restrictions upon the Ships of such Foreign Country, either as to the Voyages in which they may engage, or as to the Articles which they may import into or export from any Part of the United Kingdom or of any *British* Possession in any Part of the World, as Her Majesty may think fit, so as to place the Ships of such Country on as nearly as possible the same Footing in *British* Ports as that on which *British* Ships are placed in the Ports of such Country.

and may impose additional Duties.

XI. And be it enacted, That in case it shall be made to appear to Her Majesty that *British* Ships are either directly or indirectly subject in any Foreign Country to any Duties or Charges of any Sort or Kind whatsoever from which the national Vessels of such Country are exempt, or that any Duties are imposed upon Articles imported or exported in *British* Ships which are not equally imposed upon the like Articles imported or exported in national Vessels, or that any Preference whatsoever is shown either directly or indirectly to national Vessels over *British* Vessels, or to Articles imported or exported in national Vessels over the like Articles imported or exported in *British* Vessels, or that *British* Trade and Navigation is not placed by such Country upon as advantageous a Footing as the Trade and Navigation of the most favoured Nation, then and in any such Case it shall be lawful for Her Majesty (if She think fit), by Order in Council to impose such Duty or Duties of Tonnage upon the Ships of such Nation entering into or departing from the Ports of the United Kingdom, or of any *British* Possession in any Part of the World, or such Duty or Duties on all Goods, or on any specified Classes of Goods, imported or exported in the Ships of such Nation, as may appear to Her Majesty justly to countervail the Disadvantages to which *British* Trade or Navigation is so subjected as aforesaid.

Order in Council to

XII. And be it enacted, That in every such Order Her Majesty

Majesty may, if She so think fit, specify what Ships are to be considered as Ships of the Country or Countries to which such Order applies, and all Ships answering the Description contained in such Order shall be considered to be Ships of such Country or Countries for the Purposes of such Order.

Reciprocity.
specify
Ships to
which it
applies.

XIII. And be it enacted, That it shall be lawful for Her Majesty from Time to Time to revoke any Order or Orders in Council made under the Authority of this Act.

Orders
may be
revoked.

XIV. And be it enacted, That every such Order in Council as aforesaid shall, within Fourteen Days after the issuing thereof, be Twice published in the *London Gazette*, and that a Copy thereof shall be laid before both Houses of Parliament within Six Weeks after the issuing the same, if Parliament be then sitting, and if not then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders to
be pub-
lished in
"Gazette,"
and to be
laid before
Parlia-
ment.

XV. And be it enacted, That if any Goods be imported, exported, or carried Coastwise contrary to this Act, all such Goods shall be forfeited, and the Master of the Ship in which the same are so imported, exported, or carried Coastwise shall forfeit the Sum of One hundred Pounds, except where any other Penalty is hereby specially imposed.

Penalties.

XVI. And be it enacted, That all Penalties and Forfeitures incurred under this Act shall be sued for, prosecuted, recovered and disposed of, or shall be mitigated or restored in like Manner and by the same Authority as any Penalty or Forfeiture can be sued for, prosecuted, recovered and disposed of, or may be mitigated or restored, under an Act passed in the said Session of Parliament holden in the Eighth and Ninth Years of Her present Majesty, intituled *An Act for the Prevention of Smuggling*; and that the Costs of all Proceedings under this Act shall be defrayed out of the Consolidated Duties of Customs.

Penalties,
how to be
recovered.

8 & 9 Vict.
c. 87.

XVII. And be it enacted, That all natural-born subjects of Her Majesty, and all Persons made Denizens by Letters of Denization, and all Persons naturalized by or under any Act of Parliament, or by or under any Act or Ordinance of the Legislature or proper legislative Authority of any of the *British Possessions in Asia, Africa, or America*, and all Persons authorized by or under any such Act or Ordinance to hold Shares in *British Shipping*, shall, on taking the Oath of Allegiance to Her Majesty, Her Heirs and Successors, be deemed to be duly qualified to be Owners or Part Owners of *British-registered Vessels*, anything in the said recited Act for the registering of *British Shipping* to the contrary in anywise notwithstanding.

Registry.
Who may
be Owners
of British
Vessels.

XVIII. And be it enacted, That the following Form of Certificate

Form of
Certificate

Registry.
of Regis-
try.

Certificate shall be substituted for the Form of Certificate prescribed by the said Act for the registering of *British Ship-*ping :

THIS is to certify, That [*here insert the Names, Occupations and Residence of the subscribing Owners*], having made and subscribed the Declaration required by Law, and having declared that [he or they], together with [*Names, Occupations and Residence of non-subscribing Owners*], is [*or are*] sole Owner [*or Owners*] in the Proportions specified on the Back hereof of the Ship or Vessel called the [*Ship's Name*] of [*Place to which the Vessel belongs*], which is of the Burthen of [*Number of Tons*], and whereof [*Master's Name*] is Master, and that the said Ship or Vessel was [*when and where built, or condemned as Prize, referring to Builder's Certificate, Judge's Certificate, or Certificate of last Registry, then delivered up to be cancelled, or (if the Vessel was Foreignbuilt, and the Time and Place of building not known,) was Foreign,* and that he or they did not know the Time or Place of building] and [*Name and Employment of Surveying Officer*] having certified to us that the said Ship or Vessel has [*Number*] Decks and [*Number*] Masts, that her Length from the inner Part of the Main Stem to the fore Part of the Sternpost aloft is [Feet Tenths], her Breadth in Midships is [Feet Tenths], her Depth in Hold at Midships is [Feet Tenths], that she is [*how rigged*] rigged with a [*standing or running*] Bowsprit, is [*Description of Stern*] sterned, [*Carvel or Clincher*] built, has [*whether any or not*] Gallery, and [*Kind of Head, if any,*] Head, that the Framework and planking [*or plating*] is [*state whether of Wood or Iron*] and that she is [*state whether a Sailing Vessel or a Steamer, and if a Steamer, state whether propelled by Paddle Wheels or Screw Propellers*]; and the said subscribing Owners having consented and agreed to the above Description, and having caused sufficient Security to be given as required by Law, the said Ship or Vessel called the [*Name*] has been duly registered at the Port of [*Name of Port*]. Certified under our Hands at the Custom House in the said Port of [*Name of Port*], this [*Date*] Day of [*Name of Month*] in the Year [*Words at Length*].

‘(Signed)

Collector.

‘(Signed)

Comptroller.’

And on the Back of such Certificate of Registry there shall be an Account of the Parts or Shares held by each of the Owners mentioned and described in such Certificate, in the Form and Manner following :

Names

Registry.

Names of the several Owners within mentioned.				Number of Sixty-fourth Shares held by each Owner.	
[Name]	-	-	-	-	Thirty-two.
[Name]	-	-	-	-	Sixteen.
[Name]	-	-	-	-	Eight.
[Name]	-	-	-	-	Eight.
(Signed)				Comptroller.	
(Signed)				Collector.	

XIX. And be it enacted, That the following Declaration shall be substituted for the Declaration by the said Act, directed to be made by the Owner or Owners of any Vessel previous to the Registry thereof:

I A.B of [Place of Residence and Occupation] do truly declare, That the Ship or Vessel [Name] of [Port or Place], whereof [Master's Name] is at present Master, being [Kind of Build, Burthen, et cætera, as described in the Certificate of the Surveying Officer], was [when and where built, or, if Prize or forfeited, Capture, and Condemnation as such, or, (if the Vessel be Foreign built, and the Owner does not know when and where she was built,) that the said Vessel is Foreign built, and that I do not know the Time and Place of her building], and that I the said A.B. [and the other Owners, Names and Occupations, if any, and where they respectively reside,] am [or are] sole Owner [or Owners] of the said Vessel, and that no other Person or Persons whatever hath or have any Right, Title, Interest, Share, or Property therein or thereto; and that I the said A.B. [and the said other Owners, if any,] am [or are] truly and bonâ fide a Subject [or Subjects] of Great Britain, and that I the said A.B. have not [nor have any of the other Owners, to the best of my Knowledge and Belief,] taken the Oath of Allegiance to any Foreign State whatever [except under the Terms of some Capitulation, describing the Particulars thereof], or that since my taking [or his or their taking] the Oath of Allegiance to [naming the Foreign States respectively to which he or any of the said Owners shall have taken the same] I have [or he or they hath or have] become a Denizen [or Denizens, or naturalized Subject or Subjects, as the Case may be,] of the United Kingdom of Great Britain and Ireland, by Her Majesty's Letters Patent [or by an Act of Parliament, or by or under or by virtue of an Act or Ordinance of the Legislature of or have been authorized by an Act or Ordinance of the Legislature of to hold Shares in British Shipping within

Registry.

' within the said Colony, and since the passing of such Act or Ordinance I have [*or he or they hath or have*] taken the Oath of Allegiance to Her Majesty Queen Victoria [*naming the Times when such Letters of Denization have been granted respectively, or the Year or Years in which such Act or Acts of Naturalization, or such Colonial Acts or Ordinances, have passed respectively,*] and that no Foreigner, directly or indirectly, hath any Share or Part Interest in the said Ship or Vessel:'

Provided always, that if it shall become necessary to register any Ship or Vessel belonging to any Corporate Body in the United Kingdom, the following Declaration, in lieu of the Declaration herein-before directed, shall be made and subscribed by the Secretary or other proper Officer of such Corporate Body; (that is to say,)

' I A.B., Secretary or Officer of [*Name of Company or Corporation*], do truly declare, that the Ship or Vessel [*Name*] of [*Port*] whereof [*Master's Name*] is at present Master, being [*Kind of Build, Burthen, &c., as described in the Certificate of the Surveying Officer*], was [*when and where built, or, if Prize or forfeited, Capture, and Condemnation as such*], or, [*if the Vessel be Foreign built, and that such Secretary or Officer does not know when and where built,*] that the said Vessel is Foreign built, and that I do not know the Time and Place of the Building, and that the same doth wholly and truly belong to [*name the Company or Corporation.*]

XX. And be it enacted, That notwithstanding that by the said recited Act for the registering of *British Vessels* it is enacted, that in case any Ship, not being duly registered, shall exercise any of the Privileges of a *British Vessel*, the same shall be forfeited, nevertheless all Boats or Vessels under Fifteen Tons Burthen, wholly owned and navigated by *British Subjects*, although not registered as *British Ships*, shall be admitted to be *British Vessels* in all Navigation in the Rivers and upon the Coasts of the United Kingdom or of the *British Possessions* abroad, and not proceeding over Sea, except within the Limits of the respective Colonial Governments within which the managing Owners of such Vessels respectively reside; and that all Boats or Vessels wholly owned and navigated by *British Subjects*, not exceeding the Burthen of Thirty Tons, and not having a whole or fixed Deck, and being employed solely in fishing on the Banks and Shores of *Newfoundland* and of the Parts adjacent, or on the Banks and Shores of the Provinces of *Canada, Nova Scotia, or New Brunswick* adjacent to the *Gulf of Saint Lawrence*, or on the North of *Cape Canso*, or of the Islands within the same, or in trading Coast-

wise

Proviso for
Vessels
under Fif-
teen Tons
Burthen in
Inland Na-
vigation, and
for Vessels
under
Thirty
Tons Bur-
then for
the New-
foundland
Fishery.

wise within the said Limits, shall be admitted to be *British Boats or Vessels*, although not registered, so long as such Boats or Vessels shall be solely so employed.

XXI. And be it enacted, That this Act shall come into operation on the First Day of *January* One thousand eight hundred and Fifty.

Act to take effect on 1st Jan. 1850.

XXII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. XXX.

An Act for the better Preservation of Sheep, and more speedy Detection of Receivers of stolen Sheep in Ireland.—[26th June 1849.]

CAP. XXXI.

An Act for requiring the Transmission of the annual Abstracts and Statements of Trustees of Turnpike Roads and Bridges in Scotland to the Secretary of State to be laid before Parliament.—[26th June 1849.]

WHEREAS an Act was passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland*, by which it was enacted, that the Trustees of every Turnpike Road should and they were thereby required, either by themselves or some Committee of their Number, annually to examine the Vouchers and audit and settle the Accounts of the respective Clerks and Treasurers appointed by them, and to examine into the State of the Revenues and Debts, distinguishing bonded from floating Debts, of the several Roads for which they should act as Trustees, and to make up Abstracts of such Accounts, which Abstracts should contain a Statement of the Revenues and Debts of the Trust, and also an Account of all Bonds given by the Trustees, and the Dates thereof, and which said Abstracts of Accounts and Statements should be signed by not less than Three of the Trustees; and it is expedient that such annual Accounts and Statements, and also similar annual Accounts and Statements of Bridge Trusts, should be transmitted to One of Her Majesty's Principal Secretaries of State for the Purpose of being revised and afterwards laid before both Houses of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the

1 & 2 W. 4.
c. 43.

Clerks of several Road

Trusts, &c. to transmit to Secretary of State Abstracts of Accounts and Statements of Revenues and Debts.

several and respective Clerks to such Trustees, by whom or by whose Committees such Abstracts of Accounts and Statements of Revenues and Debts of the respective Turnpike Trusts under the charge of such Trustees are directed to be made and signed as aforesaid, and also the several and respective Clerks to the Trustees acting under any Act or Acts of Parliament for building or maintaining any Bridge in *Scotland*, shall, on or before the First Day of *October* One thousand eight hundred and forty-nine, transmit to One of Her Majesty's Principal Secretaries of State Abstracts and Statements made up and signed as in the said recited Act prescribed, and according to the Form contained in the Schedule (A.) annexed to this Act, or as nearly in the said Form as Circumstances will permit, for the Period of a Year preceding the Term of *Whitsunday* One thousand eight hundred and forty-nine, and shall in like Manner upon the First Day of *October* in all future Years transmit to One of Her Majesty's Principal Secretaries of State the like Abstracts and Statements made up and signed in the Manner directed by the said recited Act and in the Form of the said Schedule (A.), or as nearly in the said Form as Circumstances will permit, for the Year ending at the preceding Term of *Whitsunday*; and if any Clerk to such Trustees shall refuse or neglect to transmit such annual Abstracts and Statements within the Time herein-before prescribed, then and in every such Case every Clerk so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds, at the Discretion of the Sheriff of the County within which the larger Proportion of the Turnpike Roads comprehended within such Turnpike Trust are situated or within which such Clerk resides.

Secretary of State to cause Abstracts to be laid before Parliament.

II. And be it enacted, That the Secretary of State to whom such annual Abstracts and Statements shall be transmitted shall cause the same to be revised, abstracted, and arranged, and laid before both Houses of Parliament, together with any Observations which he may think proper to make respecting the State, Condition, and Repair of the Roads and Bridges or any of them, or respecting the Debts, Revenues, Expenditure, and Management of any such Turnpike and Bridge Trusts.

If Road Acts proposed to be amended Clerk to transmit Resolution and Par-

III. And be it enacted, That when and as often as the Trustees of any Turnpike Road or Bridge shall have entered into a Resolution to apply to Parliament for any new Turnpike Road or Bridge Act, or for the Continuation of the Term and Powers of the Act under which any Turnpike Road or Bridge is regulated, or for the Alteration or Enlargement of the

the Powers and Provisions of such Act, or any of them, or for an alteration of the Tolls or Pontages to be levied on such Turnpike Road or Bridge, the Clerk of such Trustees shall immediately thereupon transmit a Copy of such Resolution to One of Her Majesty's Principal Secretaries of State, together with a Copy of any Special Clauses proposed to be inserted in the intended Act, and also a Statement of the Alteration of Tolls or Pontages intended to be made.

Particulars to
Secretary
of State.

IV. And be it enacted, That the Penalties hereby imposed shall be recovered and applied in such and the like Manner as the Penalties imposed by the said recited Act are directed to be recovered and applied.

Penalties
how to be
recovered
and ap-
plied.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may
be amend-
ed, &c.

SCHEDULE (A.)

GENERAL STATEMENT of the INCOME and EXPENDITURE of
the TURNPIKE [*or* BRIDGE] TRUST in the
County of between the Term of Whit-
sunday and the Term of Whitsunday .

INCOME.	£ s. d.	EXPENDITURE.	£ s. d.
Balance in Treasurer's Hands } brought forward . . . }		Balance due to the Treasurer } brought forward . . . }	
Revenue received from Tolls .		Manual Labour	
Revenue from Fines		Carriage of Materials	
from incidental Receipt		Materials for Surface Repairs	
Amount of Money borrowed } on the Security of the Tolls }		Land purchased	
		Damage done in obtaining } Materials }	
		Tradesmen's Bills	
		Salaries : Treasurer	
		Clerk	
		Surveyor	
		Law Charges	
		Interest on Debt	
		Annuities	
		Improvements	
		Watering Roads	
		Debts paid off	
		Incidental Expenses	
		Balance in the Treasurer's } Hands }	
Balance due to the Treasurer			

SCHEDULE (A.)—*continued.*

DEBTS.		Rate of Interest per Cent.	ARREARS OF INCOME.	Insert the Name and Place of Abode of the Treasurer, Clerk, General and Superintending Surveyor, below.
Bonded Debt . .	£ s. d.	£ s. d.	Arrears of Tolls for current Year {	£ s. d.
Floating ditto . .			Arrears of any other Receipt do. {	
Unpaid Interest . .			Arrears of former Years . . . {	
Balance due to the Treasurer . . }				
Total Debts . .			Total Arrears	

CAP. XXXII.

An Act to continue to the End of the Year One thousand eight hundred and fifty-one certain temporary Provisions relating to the Collection of Grand Jury Cess in Ireland.—[26th June 1849.]

CAP. XXXIII.

An Act for regulating the Carriage of Passengers in Merchant Vessels.—[13th July 1849.]

CAP. XXXIV.

An Act to amend an Act regulating the Justice of the Peace Small Debt Courts in Scotland.—[13th July 1849.]

6 G. 4. c.
48.

Form of
Complaint
and Mode
of Execu-
tion, and
One Cita-
tion to be
good with-
out a Se-
cond Cita-
tion.

WHEREAS an Act was passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to alter and amend an Act passed in the Thirty-ninth and Fortieth Year of King George the Third, for the Recovery of Small Debts in Scotland*, and it is expedient that the said recited Act should be amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Causes which Her Majesty's Justices of the Peace in Scotland may competently hear, try, and determine under the Authority of the said recited Act and this Act shall proceed upon Complaint, to be signed by the Clerk or Depute Clerk of the Peace agreeably to the Form in Schedule (A.) hereunto annexed; and a Copy of the Complaint with Citation thereon, and also a Copy of the Account, Document of Debt, or State of the Demand, being delivered

delivered by a Constable to the Defender personally, or left at the Dwelling Place of the Defender, or, in the Case of a Company, at the ordinary Place of Business of the Company, Six Days at least before the Diet of Court mentioned in such Complaint, shall be good and effectual to all Intents and Purposes, anything in the said recited Act requiring a Second Citation where the First Citation had not been delivered personally, to the contrary notwithstanding.

II. And be it enacted, That where a Decree has been pronounced in Absence of the Defender, or where Absolvitor has passed in Absence of the Pursuer, either before or after the passing of this Act, a Copy of the Warrant for rehearing being served upon the other Party personally, or left at the Dwelling Place of such Party, in the Manner and upon the Induciæ herein-before prescribed regarding the Service of a Complaint, shall be an Authority for rehearing the Cause.

Causes in which Decrees in Absence have been pronounced may be reheard on the like Service and Induciæ.

III. And be it enacted, That any Warrant or Decree to be obtained in any such Cause as aforesaid may be enforced by a Constable either in the County in which the same has been issued, or in any other County or Counties; provided that, when enforced in any other County, the Warrant or Decree or Extract thereof shall first be endorsed by the Clerk or Depute Clerk of the Peace of such other County, who is hereby required to make such Endorsement on Payment of a Fee not exceeding One Shilling.

Warrant or Decree issued in one County may be enforced in another, if endorsed, &c.

IV. And be it enacted, That the said recited Act shall continue in full Force and Effect, excepting in so far as the same is hereby altered and amended.

Recited Act continued except as hereby altered.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be amended, &c.

SCHEDULE (A)

No.

The Honourable Her Majesty's Justices of the Peace for the Shire [or Stewartry] of

To

Officers of Court, jointly and severally.

WHEREAS it is humbly complained to us by *C.D.* [*Designation*] that *E.F.* [*Designation*], Defender, is owing to the Complainer the Sum of _____ which the said Defender refuses or delays to pay; and therefore the said Defender ought to be decerned and ordained to make Payment to the Complainer with Expenses: Therefore it is our Will, that on Sight hereof ye lawfully summon the said Defender to compare before us, or any Two or more of us in the _____ at _____ upon

upon the Day of at of the
 Clock noon, to answer at the Complainer's Instance
 in the said Matter, with Certification, in case of Failure, of
 being held as confessed; requiring you also to deliver to the
 Defender a Copy of any Account, Document of Debt, or State
 of the Demand pursued for, and that ye cite Witnesses and
 Havers for both Parties to compear at the said Place and
 Date, to give Evidence in the said Matter as accords of Law.

Given under the Hand of the Clerk of Court, at
 the Day of
 Eighteen hundred and Years.
 J.P., Clerk,
 [or Depute Clerk.]

Citation for Defender.

E.F., Defender above designed, you are hereby summoned
 to appear and answer before the Justices in the Matter, and
 at the Time and Place, and under the Certification set forth
 in the above Copy of the Complaint against you.

This Notice served upon the Day
 of by me. J. T., Constable.

CAP. XXXV.

*An Act for requiring annual Returns of the Expenditure
 on Highways in England and Wales to be trans-
 mitted to the Secretary of State, and afterwards laid
 before Parliament.*—[13th July 1849.]

CAP. XXXVI.

*An Act to make Provision, during the present Year, and
 to the End of the Year One thousand eight hundred
 and fifty-one, relating to the Collection of County Cess
 in Ireland, and to the Remuneration of the Collectors
 thereof.*—[13th July 1849.]

CAP. XXXVII.

*An Act to continue to the First Day of October One
 thousand eight hundred and fifty, and to the End of
 the then next Session of Parliament, an Act to amend
 the Laws relating to Loan Societies.*—[13th July
 1849.] (England.)

CAP. XXXVIII.

CAP. XXXVIII.

An Act to continue for Five Years an Act of the Second and Third Years of Her present Majesty, for the better Prevention and Punishment of Assaults in Ireland.—[13th July 1849.]

CAP. XXXIX.

An Act for further continuing, until the First Day of August One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.—[13th July 1849.]

CAP. XL.

An Act to continue, until the Thirty-first Day of July One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, certain of the Allowances of the Duty of Excise on Soap used in Manufactures.—[13th July 1849.]

CAP. XLI.

An Act to extend an Act of the Fifty-sixth Year of King George the Third, for providing for a new Silver Coinage, and for regulating the Currency of the Gold and Silver Coin of this Realm.—[13th July 1849.]

CAP. XLII.

An Act to provide for the Execution for One Year of the Office of Sheriff in the County of Westmoreland.—[13th July 1849.]

CAP. XLIII.

An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in the Service.—[28th July 1849.]

CAP. XLIV.

CAP. XLIV.

An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-nine.—[28th July 1849.]

CAP. XLV.

An Act to amend the Procedure in Courts of General and Quarter Sessions of the Peace in England and Wales, and for the better Advancement of Justice in Cases within the Jurisdiction of those Courts.—[28th July 1849.]

CAP. XLVI.

An Act to facilitate the Union of Turnpike Trusts.—[28th July 1849.] (England & Wales.)

CAP. XLVII.

An Act to continue certain Acts for regulating Turnpike Roads in Ireland.—[28th July 1849.]

CAP. XLVIII.

An Act to provide for the Administration of Justice in Vancouver's Island.—[28th July 1849.]

CAP. XLIX.

An Act to extend and explain the Provisions of the Acts for the granting of Sites for Schools.—[28th July 1849.]

WHEREAS by an Act passed in the Fifth Year of the Reign of Her Majesty Provisions are made for facilitating the Erection of Schools and Buildings for the Education of poor Persons, which said Act hath been since explained and extended by an Act of the Eighth Year of the Reign of Her Majesty; and it is expedient that further Facilities should be afforded for the conveyance of Lands for Sites for Schools in Cases where such Lands are comprised with other
other

other Lands in Leases, and that some Amendments should also be made in the said Acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if Part only of any Lands comprised in a Lease for a Term of Years unexpired shall be conveyed or agreed to be conveyed for the Purposes of the said firstly herein-before mentioned Act, the Rent payable in respect of the Lands comprised in such Lease, and any Fine certain or fixed Sum of Money to be paid upon any Renewals thereof, or either of such Payments, may be apportioned between the Part of the said Lands so conveyed or agreed to be conveyed and the Residue thereof; and such Apportionment may be settled by Agreement between the Parties following, that is to say, the Lessor or other the Owner subject to such Lease of the Lands comprised therein, the Lessee or other the Party entitled thereto by virtue of such Lease or any Assignment thereof for the Residue of the Term thereby created, and the Party to whom such Conveyance as aforesaid for the Purposes of the said firstly herein-before mentioned Act is made or agreed to be made; and when such Apportionment shall so be made it shall be binding on all Under-lessees and other Persons and Corporations whatsoever, whether Parties to the said Agreement or not.

Where Part only of Lands under Lease conveyed, the Rent, and Fine upon Renewal of Lease, may be apportioned.

II. And be it enacted, That in case of any such Apportionment as aforesaid, and after the Lands so conveyed or agreed to be conveyed as aforesaid shall have been conveyed, the Lessee, and all Parties entitled under him to the Lands comprised in the Lease not included in such Conveyance, shall, as to all future accruing Rent, and of all future Fines certain or fixed Sums of Money, to be paid upon Renewals, be liable only to so much of the Rent and of such Fines or Sums of Money as shall be apportioned in respect of such last-mentioned Lands; and the Party entitled to the Rent reserved by the Lease shall have all the same Rights and Remedies for the Recovery of such Portion of the Rent as last aforesaid as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, and of Fines or Sums of Money to be paid upon Renewals, in case of any Apportionment of the same respectively, shall remain in force with regard to that Part of the Land comprised in the Lease which shall not be so conveyed as aforesaid, in the same Manner as they would have done in case such Part only of the Land had been included in the Lease.

Liabilities of Tenants, and Remedies of Landlords as to the Lands not conveyed.

III. And

The same Person may grant several Sites for Schools in the same Parish if the whole Extent do not exceed certain Limits.

4 & 5
Vict. c. 38.
§ 9.

Grants of Land for Sites of Schools by Owners or Tenants in Tail to be valid, although Grantor die within Twelve Months.

III. And whereas by the said first-recited Act Power is given to any Person or Corporation to grant any Number of Sites for distinct and separate Schools; but after providing that the Site of each School and Residence do not exceed One Acre, it is also provided that not more than One such Site shall be in the same Parish; and Doubts have been entertained as to the Meaning of this last-recited Proviso: Be it therefore declared and enacted, That nothing in the said Act contained shall prevent any Person or Corporation from granting any Number of Sites for separate and distinct Schools in the same Parish, provided the aggregate Quantity of Land granted by such Person in the same Parish shall not exceed the Extent of One Acre.

IV. And whereas it would be expedient that the absolute Owners of Land and Tenants in Tail in possession should have the Power of granting Land to a limited Extent for the Purpose of erecting Sites for Schools to be applied and used in and for the Education and Instruction of Persons intended to be Masters or Mistresses of Elementary Schools for poor Persons, without any Risk of such Grant being defeated by the Death of the Grantor: Be it therefore enacted, That it shall be lawful for all Persons, being such absolute Owners or Tenants in Tail in possession as aforesaid, to grant, convey, or enfranchise, by way of Gift, Sale, or Exchange, any Quantity of Land, not exceeding in the whole Five Acres, to any Corporation Sole or Aggregate, or to several Corporations Sole, or to any Trustees whatsoever, to be held, applied, and used by such Corporation or Corporations or Trustees in and for the Erection of School Buildings and Premises thereon for the Purpose of educating and instructing; and of boarding during the Time of such Education and Instruction, Persons intended to be Masters or Mistresses of Elementary Schools for poor Persons, and for the Residence of the Principal or Master or Mistress and other Officers of such Institution; and such Gift, Sale, or Exchange shall be and continue valid, if otherwise lawful, although the Donor or Grantor shall die within Twelve Calendar Months from the Execution thereof: Provided always, that it shall be lawful for the Trustees of such School Buildings and Premises to allow the same to be applied and used, concurrently with the Education and Instruction of such Masters or Mistresses, for the Purpose of boarding other Persons, and of educating and instructing the said Persons in religious and useful Knowledge.

The Owners of Land empowered-

V. And whereas the absolute Owners of Land may grant, subject to the Regulations and Provisions prescribed by the Statutes in such Behalf, any Quantity of such Land to Trustees, to be held upon charitable Purposes; and it would be beneficial

ficial that they should be authorized to exercise such Power in respect of Lands granted for the Sites or for the Endowment of the last-mentioned Schools, or of Schools for poor Persons, by vesting the same so as to secure it permanently for the Purpose of the Trust, without the Necessity of subsequent Renewals of the Deeds of Trust: Be it therefore enacted, That where any such Person shall be lawfully entitled to convey an Estate in Land to Trustees, to hold the same upon any charitable Use, and shall be desirous of conveying the same for the Purposes of the Acts herein-before referred to, or this Act, or for the Endowment of such Schools, such Person may grant and convey the same to any Corporation or Corporations as aforesaid, to be held in trust for such Purposes, whatever may be the Quantity of Land or Extent of the Estate so to be granted and conveyed.

ed to vest any Quantity of Land for Purposes of these Acts in Corporations.

VI. And be it enacted, That where Land of Copyhold or Customary Tenure shall have been or shall be granted for the Purposes of the said Acts, the Conveyance of the same by any Deed wherein the Copyholder shall grant and convey his Interest, and the Lord shall also grant his Interest, shall be deemed to be valid and sufficient to vest the Freehold Interest in the Grantee or Grantees thereof without any Surrender or Admittance or Enrolment in the Lord's Court.

Mode of conveying the Lord's Interest and that of the Copyholder in Copyhold Land.

VII. And be it enacted, That, except in Cases where there shall be something in the Subject or Context repugnant to such Construction, Words occurring in this Act and the above-recited Acts importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number; and Words importing the Masculine Gender only shall include Females; and the Word "Land" shall include Messuages, Houses, Lands, Tenements, Hereditaments, and Heritages of every Tenure; and the Word "Lease" shall include an Under-lease, Agreement for a Lease, and Missive of Lease; and the Word "Owner" shall include any Person or Corporation enabled under the Provisions of the said firstly herein-before mentioned Act to convey Lands for the Purposes thereof.

Interpretation Clause.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. L.

An Act for further amending the Laws relating to Sewers.—[28th July 1849.] (England.)

CAP. LI.

CAP. LI.

An Act for the better Protection of the Property of Pupils, absent Persons, and Persons under Mental Incapacity in Scotland.—[25th July 1849.]

WHEREAS an Act of Sederunt was passed by the Court of Session in *Scotland* on the Thirteenth Day of February One thousand seven hundred and thirty, setting forth that the Court had often been applied to for appointing Factors on the Estates of Pupils not having Tutors, and of Persons absent who had not sufficiently empowered Persons to act for them, or who were under some Incapacity for the Time to manage their own Estates, to the end that the Estates of such Pupils or Persons might not suffer in the meantime, but be preserved for the Behoof of such Persons and all having Right therein, and therefore establishing certain Regulations in regard to the Conduct of such Judicial Factors, which Regulations are still in force: And whereas the Applications to the Court of Session for the Appointment of such Factors have become very numerous; and it has been found that the existing Regulations and the present Means of enforcing them are imperfect and insufficient for preventing in many Instances the Occurrence of great Irregularity in the Conduct of such Factors, and in consequence thereof great Loss has resulted to the Funds and Estates under their Charge and to the Parties interested therein; and it has therefore become necessary to make further Provision on that Behalf: And whereas it is also expedient to make Provision for the more regular accounting and official Management of Persons who shall hereafter be served as Tutor of Law, or appointed as Tutor-dative to any Pupil, or be served as Curator or appointed as Tutor-dative to any insane Person or Idiot: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Expression "Judicial Factor" or "Factor" shall mean Factor loco tutoris, Factor loco absentis, and Curator bonis; the Word "Tutor" shall mean any Person who after the passing of this Act shall be served Tutor of Law to any Pupil, or be appointed Tutor-dative to

Interpre-
tation of
Terms in
this Act.

to any Pupil or insane Person or Idiot; the Word "Curator" shall mean any Person who after the passing of this Act shall be served as Curator to any insane Person or Idiot; the Word "Accountant" shall mean the Accountant of the Court of Session, to be appointed under the Authority of this Act; the Expression "Lord Ordinary" shall mean the Lord Ordinary of the Court of Session discharging the Duties of Junior Lord Ordinary in Time of Session, and the Lord Ordinary on the Bills in the Time of Vacation; the Expression "Court of Session" or "Court" shall, excepting as to the Power of passing Acts of Sederunt, mean either Division of the Court of Session; the Word "Estate" shall include all Property and Funds, and all Rights heritable and moveable; the Word "Lands" shall include all heritable Subjects; Words used in the Singular Number shall be held to include several Persons or Things, and Words importing the Masculine Gender shall extend and be applied to Females as well as Males.

II. And be it enacted, That every Judicial Factor shall, within such Time after his Appointment as the Court shall direct, find Caution for his duly accounting for his Intrusions and Management, and observing and performing every Duty incumbent upon him as Factor, in Terms of the Rules prescribed or to be prescribed for the Discharge of his Office, and in case of his Failure to do so his Appointment shall fall; and no Factor shall enter upon the Duties of his Office, nor shall an Extract of his Appointment be issued, until after such Caution is found and received as sufficient; and the Factor shall extract his Appointment without Delay.

III. And be it enacted, That every Judicial Factor shall, as soon as may be after extracting his Appointment, and within Six Months at latest from the Date on which his Bond of Caution shall have been received, lodge with the Accountant a distinct Rental of all Lands committed to his Management, specifying the Rents, Revenues, and Profits of such Lands, the existing Leases, and other Rights affecting the Lands, and the public Burdens and other Burdens thereon, and a List of all Monies and Funds belonging and Debts due to the Estate, specifying the Particulars of each Item, and the Interest or Revenue arising from the same, the Document by which the same is vouched, and the Nature and Value of any Security held for the same, and also an Inventory of any Household Furniture, Farm Stocking, Goods, or Moveables, including Rights moveable, forming Part of the Estate; and he shall, without Delay after extracting his Appointment, recover all Writs and Documents of Importance belonging to the Estate, and collect all Monies due to the same not securely invested,

Judicial
Factor to
find Cau-
tion for
duly per-
forming his
Duties.

Judicial
Factor to
lodge with
the Ac-
countant a
distinct
Rental of
Lands com-
mitted to
his Man-
agement, a
List of
Funds, and
an Inven-
tory of
Moveables,
&c.

and

and use all reasonable Diligence in ascertaining the exact Nature and Amount of the Estate placed under his Charge; and he shall produce all such Writs and Documents, and Information so obtained by him, along with the said Rental, List of Funds, and Inventory, to the Accountant, which Rental, List, and Inventory, when adjusted and approved of by the Accountant, shall be signed by him and the Factor, and shall form a Ground of Charge against the Factor; and if at any Time thereafter any new Claims or Property belonging to the Estate shall be discovered, the Factor shall report the same in his next Account of Charge and Discharge to the Accountant, who shall make such Alteration on the Rental, List, and Inventory as may be thereby rendered necessary.

Factor to close his Accounts once a Year, and lodge the same with Accountant.

IV. And be it enacted, That the Factor shall close his Account of Charge and Discharge once in every Year, on a Day to be fixed by the Accountant, and within One Month thereafter shall lodge such Account in the Office of the Accountant, with the Vouchers numbered, and referred to in the Account by Number: Provided always, that it shall be competent for the Accountant, on Cause shown, to prorogate the Time for lodging such Accounts and Vouchers, but in no Case shall such Prorogation extend beyond Three Months from the Day fixed for the closing of the Accounts.

Factor to lodge Monies in one of the Banks of Scotland.

V. And be it enacted, That the Factor shall lodge the Money in his Hands in some one of the Banks in Scotland established by Act of Parliament or Royal Charter, in a separate Account or on Deposit, such Account or Deposit being in his own Name as Judicial Factor on the Estate; and if the Factor shall keep in his Hands more than Fifty Pounds of Money belonging to the Estate for more than Ten Days, he shall be charged with a Sum to the Estate at the Rate of Twenty Pounds *per Centum per Annum* on the Excess of the said Sum of Fifty Pounds for such Time as it shall be in his Hands beyond the said Ten Days; and, unless the Money has been so kept from innocent Causes, the Factor shall be dismissed from his Office, and shall have no Claim for Commission.

Penalties on Factor for Misconduct.

VI. And be it enacted, That if the Factor shall misconduct himself, or fail in the Discharge of his Duty, he shall be liable to such Fine, and to the Forfeiture of the whole or any Part of his Commission, and to Suspension or Removal from his Office as Factor, and to Payment of Expenses, or to any One or more of such Penalties, as the Court in its Discretion shall decide; and that over and above such further Liability as he may be subject to as accords of Law in reparation of any Loss or Damage sustained by the Estate in consequence of such Misconduct or Failure.

VII. And

VII. And be it enacted, That if at any Time it shall appear to the Factor that there is a strong Expediency for granting Abatement of Rent, either temporarily or permanently, or for renewing or granting a Lease for a Period of Years, or for draining, or for erecting Buildings or Fences, or for otherwise improving the Estate in a Manner not coming within the ordinary Course of factorial Management, he shall report the same to the Accountant, who may order any Necessary Inquiry, and shall state his Opinion thereon in Writing; and such Report and Opinion may be submitted by the Factor to the Lord Ordinary, with a Note praying for the Sanction of the Court to the Measure proposed; and the Lord Ordinary shall, with or without further Inquiry, report the Matter to the Court, who, if they consider it expedient and consistent with due Regard to the Amount of the Estate at the Time, may sanction the Measure, and the Decision of the Court shall be final, and not subject to Appeal; and if the Estate be held under Entail, it shall be lawful to the Court to authorize the Factor to take Proceedings for constituting as a Charge against the future Heirs of Entail, or otherwise recovering, the Money expended in making any Improvements upon the Estate, under and in Terms of an Act passed in the Tenth Year of the Reign of his Majesty King George the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of Great Britain called Scotland held under Settlements of strict Entail*, and under and in Terms of an Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Law of Entail in Scotland*; but nothing herein contained shall be held as conferring Power on the Court to authorize the Factor to build or enlarge a Mansion House upon the Estate, or to charge the Estate and future Heirs of Entail to a greater Extent than One Half the Amount with which the Heir in possession, if under no Incapacity to act, could have charged the Estate under the said Acts, or either of them; and if any Factor having Charge of the Estate of any Lunatic or other Person incapable of managing his own Affairs shall deem it proper for the Comfort or Welfare of such Person that the whole or a Part of such Estate should be sunk on Annuity, he shall report the Matter to the Accountant, who shall state his Opinion thereon in Writing, and such Report and Opinion shall be submitted by the Factor, with a Note as aforesaid, to the Lord Ordinary, who shall report the Matter to the Court, and it shall be in the Power of the Court to sanction the Measure, and the Decision of the Court shall be final, and not subject to Appeal; and in all other

Factor may
apply for
special
Powers.

10 G. 3. c.
51.

11 & 12
Vict. c. 36.

Matters

Matters in which special Powers are, according to the existing Practice, in use to be granted by the Court, the Court shall have Power to grant the same in like Manner and Form as is above provided.

Before special Powers, &c. granted, Court to order such Intimation to be made as may be deemed proper. Power to appoint Accountant.

VIII. And be it enacted, That in all Cases in which Application shall be made to the Lord Ordinary or the Court by any Factor, or other Person having Right to make the same, for special Powers or for the extraordinary Application of Money or Funds or Property belonging to any Estate, the Lord Ordinary or Court shall order such Intimation to be made as may be deemed proper.

IX. And be it enacted, That it shall be lawful for Her Majesty and Her Heirs and Successors to appoint a Person versant in Law and Accounts, to be called The Accountant of the Court of Session, for performing the Duties of that Office, with such yearly Salary, not exceeding Six hundred Pounds, payable quarterly out of the Fee Fund established by this Act, and with such Accommodation of Office Room, or reasonable Allowance for the same out of the said Fund, as may be fixed by the Commissioners of Her Majesty's Treasury, or any Three or more of them, but such Salary shall always be restricted, so as not to exceed the clear existing Proceeds of the aforesaid Fee Fund after deducting all other Charges thereon; and the Accountant shall be allowed Two Clerks, whom he shall appoint, with a Salary not exceeding Two Hundred Pounds yearly for the First and One hundred and fifty Pounds yearly for the Second, which Salaries shall also be paid quarterly out of the said Fee Fund; and the Accountant shall hold no other official Situation in the Court, and shall not, directly or indirectly, by himself or any Partner, be engaged in Practice; and he shall not directly or indirectly have any Management of or Intromission with any Money of any Estate under Charge of the Court; provided always, that it shall be competent for the Court or for any Lord Ordinary to remit to the Accountant to examine and report in regard to any Matter depending before the Court or such Lord Ordinary, not connected with his official Duties, and in which it shall appear to the Court or such Lord Ordinary that the Report of an Accountant should be obtained, and for such Business the Accountant shall be entitled to reasonable Remuneration.

General Nature of Accountant's Duty;

X. And be it enacted, That the Accountant shall superintend generally the Conduct of all Judicial Factors and Tutors and Curators coming under the Provisions of this Act already appointed or to be hereafter appointed, and shall see that they duly observe all Rules and Regulations affecting them for the Time.

XI. And

XI. And be it enacted, That on the Factor's Bond of Caution being received as sufficient, it shall be transmitted by the Clerk to the Process to the Accountant, who shall forthwith give a written Intimation, dated and signed, to the Factor or his Agent, stating that the Bond has been received, and assigning the Day on which the Factor is to close his first Account, being not less than Six nor more than Eighteen Months from the Date of such Intimation; and on the Death or Insolvency of the Cautioner of any Factor, such Factor shall forthwith give Notice in Writing to the Accountant of such Death or Insolvency, and the Accountant shall, as soon as the Fact shall come to his Knowledge, by means of such Notice or otherwise, require new Caution to be found.

to assign a
Day for
closing
first Ac-
count;

XII. And be it enacted, That the Accountant shall see that the Factor lodges a Rental, List, and Inventory in Terms of this Act, and shall, along with the Factor or his Agent, examine, verify, and adjust, and with the Factor sign the same, and shall ascertain the Circumstances of the Estate, and call for all necessary Documents, so as to form a clear Rule of Charge against the Factor at the Commencement of his Office, and the Accountant shall retain such Rental, List, and Inventory.

to adjust
the Rental,
List, and
Inventory;

XIII. And be it enacted, That the Accountant shall see that the Factor's Accounts of Charge and Discharge, with the Vouchers thereof, are duly lodged, and shall thereafter examine the same without undue Delay, and audit the Account on the general principles of good ordinary Management for the real Benefit of the Estate and of those interested therein, and he shall consider the Investments of the Estate and the Sufficiency thereof, and he shall be entitled to require from the Factor all necessary Information and Evidence, and he shall fix the Amount of the Factor's Commission for the Period embraced by the Audit according to his Opinion of what is just in each particular Case, and he shall strike the Balance and shall state the Result of his Audit in the Form of a short Report, and if he has made any Corrections on the Account, he shall, if required by the Factor, explain such Corrections and his Reasons for making them.

and to
audit the
Accounts.

XIV. And be it enacted, That the Accountant shall have Power, upon Report to and with the Approval of the Lord Ordinary, where the Sum involved exceeds Twenty Pounds, and without such Report and Approval where the Sum involved is less than Twenty Pounds, to dispense with the Rules of exact Diligence in any Matter of Factorial Management.

Rules of
exact Dili-
gence may
be dis-
pensed
with.

XV. And be it enacted, That the Accountant's Audit and Report shall be conclusive against the Factor and his Cautioner if

Account-
ant's Re-
port con-

clusive
against
Factor, if
not object-
ed to, and
if Objec-
tions, how
to be dis-
posed of.

if written Objections shall not be lodged by the Factor with the Accountant within Twenty Days from the Date of such Audit and Report being communicated to the Factor, but if Objections be lodged, the Accountant shall consider the same, and may alter his Report if he sees Cause; and unless the Objections are allowed or departed from, the Account and Report and whole Proceedings shall be transmitted by the Accountant to the Lord Ordinary, who shall call the Factor or his Agent, and if necessary the Accountant, before him at Chambers in reference thereto, and the Lord Ordinary or the Court, if the Matter shall be reported or brought under Review, may affirm, vary, or reverse the Audit and Report of the Accountant, and may reserve any Question or Questions which are raised in the Objections for the Factor till the final Audit of his Accounts, directing the Account to be balanced for the present, as the Lord Ordinary or the Court may think expedient and just; and no judgment of the Lord Ordinary, pronounced as aforesaid, shall be subject to Review at the Instance of the Accountant, nor, in case the Lord Ordinary shall reserve any Question as aforesaid, shall it be competent to the Factor to reclaim against such reservation; but in case the Lord Ordinary shall decide against the Factor, he may bring the Interlocutor under Review of the Court, by a short Note of Appeal from the Lord Ordinary's Judgment, and the Judgment of the Court shall not be subject to Appeal at this Stage nor till the Termination of his Factory, without the Leave of the Court: Provided always, with reference to such Discussion between the Accountant and the Factor, that at the Audit of the Factor's Accounts, at the Termination of his Factory, it shall be competent to the Factor and his Representatives, or to any succeeding Factor, or to any Parties beneficially interested in the Estate, to enter upon such Matter of Objection, if the same has been reserved, but if the same has been decided by the Lord Ordinary or the Court, the Decision shall not be opened up except upon Cause shown; and the Factor shall not be entitled to charge the Expense of any such Proceedings against the Estate, without the special Authority of the Lord Ordinary or the Court.

Cautioner
may be
heard be-
fore the
Account-
ant.

XVI. And be it enacted, That it shall be lawful for the Cautioner to appear and be heard before the Accountant during the Course of the Audit, or to state Objections to the Audit within Twenty Days from the Date of the Report being intimated to the Factor as aforesaid, unless the Accountant shall grant further Time, not exceeding Six Weeks; and for the Purpose of stating such Objections the Accountant shall, if required, furnish to the Cautioner a Copy of his Report, and
the

the Expense of such Copy, and of any Discussion that shall take place during or after the Audit at the Instance of the Cautioner, shall be borne by the Cautioner, and not by the Estate : Provided always, that no Objection stated on the Part of the Cautioner shall be any Ground for Delaying any Consignation of any Balance ordered by the Accountant or otherwise giving immediate Effect to the Audit.

XVII. And be it enacted, That, either at the Termination of the Factory or during its Subsistence, it shall be competent for any Party beneficially interested in the Estate, or for any succeeding Factor, to make Appearance, and upon Cause shown, to open up the Audit of all Accounts which have been audited by the Accountant in Absence of such Party or succeeding Factor, and also all Questions in the Accounting which have either not been submitted to the Decision of the Lord Ordinary or the Court or been reserved, and also all Questions which have been decided merely as between the Accountant and the Factor or between the Factor and some other Beneficiary, reserving always to the Factor and his Representatives their Answers and Defences as accords of Law ; but if such Party or succeeding Factor shall so appear, and such Question shall be opened up and decided, the Judgment, if pronounced between the Factor and a Party beneficially interested, shall be final and conclusive as between them and their Representatives, and if pronounced between the Factor and succeeding Factor, shall be final and conclusive against the Factor and the Estate.

Parties interested may, upon Cause shown, open up Audit of Accounts.

XVIII. And be it enacted, That the Accountant shall make an annual Report to the Court of Session, containing such Particulars as he may think fit, or as the Court may by Act of Sederunt or otherwise require, of all Judicial Factories, whether granted before or after the passing of this Act, then subsisting or remaining unsettled, and of his own Proceedings in reference to the same, and such annual Report shall be printed at the Cost of the Fee Fund established by this Act.

Accountant to make an annual Report of all Judicial Factories which shall be printed.

XIX. And be it enacted, That the Accountant shall make all such Requisitions or Orders on the Factor as he may consider necessary ; and if such Requisition or Order shall be disobeyed or neglected, he shall report the same to the Lord Ordinary, giving previous Notice to the Factor or his Agent, who shall lodge Objections in Writing, if he any has, within Forty eight Hours after such Notice ; and the Lord Ordinary is hereby empowered, on considering such Requisition or Order with the Objections thereto, if any, to recal or vary, confirm or repeat such Requisition or Order ; and the Interlocutor of the Lord Ordinary shall be final and conclusive against the Accountant,

Accountant to make Requisitions and Orders on the Factor.

Accountant, and also against the Factor, unless he shall, at the Time of pronouncing Judgment, give Notice of his Intention to bring the Judgment under Review, in which Case the Lord Ordinary shall dispose of the Matter of Expenses and give any Interim Order that may be necessary, which Interim Order shall not be subject to Review.

and to report to the Lord Ordinary or the Court the Factor's Failure in Duty.

XX. And be it enacted, That the Accountant shall, at all Times when requisite, report to the Lord Ordinary or the Court any Disobedience of any Requisition or Order, and any Misconduct or Failure in Duty on the Part of a Factor, or any Claims arising against a dismissed Factor or a Factor's Cautioner, or against the Representatives of a Factor or Cautioner deceased; and it shall be competent for the Lord Ordinary or the Court, on the Accountant's Report, to deal immediately with the Matter as accords of Law.

When Malversation reasonably suspected, a Case to be submitted to Her Majesty's Advocate.

XXI. And be it enacted, That if the Accountant shall possess Information that shall lead him on reasonable Grounds to suspect Malversation or Misconduct on the Part of the Factor, such as may infer Removal or Punishment, he shall be entitled to lay a Case before Her Majesty's Advocate, who shall have Power to direct such Inquiry and to take such Proceedings by Petition and Complaint, or otherwise, as he shall think proper.

Provision as to Factories constituted before the passing of the Act.

XXII. And be it enacted, with regard to all Factories subsisting at the Date of the passing of this Act, That if no Inventory and Rental has been lodged in Terms of the aforesaid Act of Sederunt, the Factor shall forthwith, after the passing of this Act, lodge a Rental. List of Funds, and Inventory of Moveables in manner provided by this Act, and the same shall be adjusted and signed as also herein-before provided; and if his Accounts shall be in arrear, he shall forthwith lodge the same, with the Vouchers, in the Manner provided by this Act, and the Accountant shall Audit his Accounts in so far as not already audited; and the Factor shall, in reference to all Monies which may come into his Hands after the passing of this Act, consign the same in Bank, in manner and under the Penalties herein provided; and in reference to any Balance which may be in his Hands at the Date of the passing of this Act, he shall consign the same in Bank at latest before the First Day of June One thousand eight hundred and fifty, after which Date the Provisions of this Act for consigning Money shall apply to such Factor in all respects; and in all other respects the whole Provisions of this Act shall take effect from and after the passing thereof, in regard to Factories constituted before the passing of this Act, in so far as the same admit of Application thereto.

XXIII. And

XXIII. And be it enacted, in regard to all Factories constituted before the passing of this Act, That any Settlement made of any such Factory, though informal, shall be held as a *prima facie* Discharge to the Factor, and the Accountant shall not report the same as a subsisting Factory, or require further Proceedings therein, but reserving the Right of all Parties interested in the Estate to show Cause to the Accountant or the Court why such Settlement should not be held as a Discharge to the Factor, in which Case, if the Cause shown shall be satisfactory to the Accountant or the Court, the Factory shall be held as subsisting and be proceeded with; and in any such Factory in which, though there has been no Settlement, it shall appear that no Benefit is likely to be derived by the Parties interested in the Estate from further Proceedings therein, and no Party interested shall make Appearance and require such Proceedings, the Accountant shall place amongst the Papers connected with the Estate a Memorandum of the Circumstances, and shall state in his Report, that further Proceedings are for the present inadvisable.

Provision
as to past
Factories
informally
settled or
desperate.

XXIV. And whereas there is at present a great Arrear in auditing the Accounts of Judicial Factors in the Factories now existing, and it may be beyond the Power of the Accountant to bring up such Arrear with the Aid only of his ordinary Establishment: Be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to appoint such additional Clerks as may be required for that Purpose, but during such Time only as such additional Assistance shall be required for such Purpose, and to permit such Clerks to be remunerated out of the Fee Fund hereby established by Salary or otherwise.

Power to
Treasury
to appoint
additional
Clerks to
bring up
Arrears.

XXV. And be it enacted, That except as to the Mode of Appointment and Caution, the Provisions of this Act relating to Judicial Factors, or relating to the Office, Powers, and Duties of the Accountant appointed by this Act, shall be applicable, in so far as the same admit of Application, to every Person who, after the passing of this Act, shall be served Tutor of Law to any Pupil, or appointed Tutor-dative to any Pupil or insane Person or Idiot, or served curator to any Insane Person or Idiot.

Provisions
of the Act
made ap-
plicable to
Tutors of
Law, Tu-
tors-dative,
and Cura-
tors to
Insane
Persons.

XXVI. And be it enacted, That, from and after the passing of this Act, in every Service of a Person as Tutor of Law to a Pupil, or as Curator to an Insane Person or Idiot, there shall, besides the Obligations usually inserted therein, be inserted in the Bond of Caution taken by the Clerk in such Service an Obligation to observe and perform every Duty incumbent on such Person, in Terms of the Rules prescribed or

Bonds of
Caution for
Tutors and
Curators.

to

to be prescribed for the Discharge of his Office in all respects, together with a Consent to Registration in the Books of Council and Session for Execution; and such Bond of Caution shall be transmitted, with the other steps of Procedure, to the Director of Chancery, who shall forthwith transmit the same to the Accountant; and no Extract of the Retour in such Service shall be given out, nor any Letters of Tutorry or Curatory be issued thereon, until such Bond of Caution shall have been received by the Director of Chancery; and in Bonds of Caution to be taken in the Court of Exchequer from Tutors-dative to Pupils or Insane Persons or Idiots there shall, besides the usual Obligations, be inserted an Obligation to the Effect aforesaid; and such Bonds of Caution shall remain in the Court of Exchequer, according to the Rules of that Court.

Amount of
Caution for
Factors,
&c. may be
limited,
and Bonds
of Caution
by Gua-
rantee As-
sociations,
&c. taken.

XXVII. And be it enacted, That it shall be lawful for the Court of Session or Court of Exchequer, as the case may be, to limit upon Cause shown the Caution to be found by Factors and Tutors and Curators to a specified Amount, and also to authorise, if they shall deem it expedient, Bonds or Policies of the *British Guarantee Association*, or other public Company incorporated by Act of Parliament or Royal Charter carrying on Guarantee Business within *Scotland*, to be accepted and taken instead of Bonds of Caution by private Individuals.

Certified
Copy of
Letters of
Tutorry or
Curatory
to form the
Basis of a
summary
Process.

XXVIII. And be it enacted, That whenever the Director of Chancery shall issue Letters of Tutorry or Curatory, proceeding on any Service or Gift dated after the passing of this Act, he shall transmit a certified Copy of such Letters to the Accountant, who, after making an Entry thereof in his Books, shall transmit the same to One of the Principal Clerks of Session in order of Seniority and by Rotation: and such certified Copy, when so transmitted, shall be held as establishing a summary Process in regard to the Estate to which such Letters relate before that Division of the Court to which such Clerk shall belong, to the same Effect as if the Tutor or Curator to whom such Letters are issued had been appointed Judicial Factor by the Court on a Petition in ordinary Form; and such certified Copy shall be held for the Purposes of this Act as equivalent to such Appointment.

Tutors,
&c. served
before the
passing of
this Act,
may put
themselves
under its
Provisions.

XXIX. And be it enacted, That any Person who before the passing of this Act shall have been served Tutor of Law to any Pupil, or appointed Tutor-dative to any Pupil or Insane Person or Idiot, or served Curator to any insane Person or Idiot, shall with Consent of his Cautioner have Right at any Time during the Continuance of his Office to place himself and his Cautioner and the Estate under the Provisions of this Act, by presenting to the Director of Chancery a written
Statement

Statement of his Desire to that Effect, signed by himself and his Cautioner and duly attested, and the Director of Chancery shall retain such Statement, and shall transmit a certified Copy thereof, and of the Letters of Tutorship or Curatorship issued to the Applicant, to the Accountant, who shall transmit the same to one of the Principal Clerks of Session in the Manner aforesaid, and such certified Copies when so transmitted shall be held as establishing a summary Process in regard to the Estate as aforesaid, and the whole Provisions of this Act shall thereafter be applicable to the said Tutor or Curator and his Cautioner and the Estate in the same Manner as if such Tutor or Curator had been served or appointed after the passing of this Act, and the Tutor or Curator and his Cautioner shall be held as bound for due Fulfilment of all the Provisions of this Act accordingly.

XXX. And be it enacted, That the Rental, List, and Inventory lodged with the Accountant in Terms of this Act by any Tutor or Curator as aforesaid shall be held as equivalent to the tutorial or curatorial Inventory directed to be given up by any Act of the *Scottish* Parliament passed in the Year One thousand six hundred and seventy-two, intituled *Act concerning Pupils and Minors, and their Tutors and Curators*; and the Report of any additional Funds or Property belonging to the Pupil or Insane Person or Idiot, in Terms of this Act, shall be held as equivalent to an Eik to a tutorial or curatorial Inventory in Terms of the said recited Act which is hereby repealed, in so far as may be necessary to give Effect to these Enactments, but no further.

XXXI. And be it enacted, That the Court shall have Power, on Cause shown, to remove or accept the Resignation of any Tutor or Curator coming under the Provisions of this Act, and to appoint a Factor loco tutoris or Curator bonis in his Room.

XXXII. And be it enacted, That nothing herein-contained shall be held to confer on any such Tutor or Curator a Right not now existing in Law to Remuneration for the Discharge of the Duties attached to his Office, or to limit his Powers or alter the Rules of his Responsibility as by Law now existing, excepting in so far as is herein expressly provided.

XXXIII. And be it enacted, That the Accountant shall have Power to require the Officers of any Bank with which any Factor or Tutor or Curator shall have opened an Account for the Estate under his Care, to exhibit all Entries in the Books of such Bank connected with such Estate, and the Officers of such Bank are hereby required to exhibit the same accordingly, and to allow the Accountant to take such Copies thereof as he may require.

XXXIV. And

Rental,
List, and
Inventory
to be equi-
valent to
tutorial or
curatorial
Inventory.

Resigna-
tion and
Removal
of Tutors
and Cura-
tors.

Remunera-
tion and
Responsi-
bility of
Factors
and Cura-
tors not
altered.

Power to
Account-
ant to re-
quire In-
formation
from
Banks.

Discharge
of Factors,
Tutors,
and Cura-
tors.

XXXIV. And be it enacted, That it shall be competent for any Factor, Tutor, or Curator, at the Termination of his Office, to present a Petition to the Court for his Discharge, calling all Persons interested in the Estate, so far as known to him, as Parties to such Petition, and the Court shall order such Intimation and Service as they may think fit; and it shall be competent to any Persons so called, or to any other Persons showing Right and Interest, to appear as Parties, and upon Cause shown to open up the Audit of the Factor's Accounts, and thereafter, and after receiving the Report of the Accountant, and making any further Inquiry which may be necessary, the Court shall pronounce Judgment thereon: and such Judgment, if it shall discharge such Factor, Tutor, or Curator, shall be final and conclusive against all Parties concerned, though pronounced in Absence, provided the same shall not be opened up as a Decree in Absence in the Court of Session within the Time limited for appealing to the House of Lords, or shall not be appealed from within that Time.

Account-
ant to be
Custodier
of Bank
Receipts.

XXXV. And be it enacted, That the Accountant shall be the Custodier of all Bank Deposit Receipts and other Vouchers for Sums of Money already placed or to be hereafter placed in Bank under Authority of the Court, and of all judicial Bonds of Caution and other judicial Bonds granted or to be granted under the Authority of the Court or any of the Judges thereof, or in reference to the Business thereof, and all other Documents of a like Nature, which, according to the present Law or Practice, are entrusted to the keeping of the senior Principal Clerk of Session, who, after the Commencement of this Act, shall cease to discharge his present Duty as Custodier of such Documents, and shall transfer all such Documents as are in his Possession to the Accountant; and thereafter the Clerk in each Process in which Consignation is made shall lodge all such Bank Receipts and Bonds or Vouchers in the Hands of the Accountant, whose Acknowledgment therefor shall be an Acquittance to such Clerk.

Records in
the Ac-
countant's
Office to
be open for
Inspection.

XXXVI. And be it enacted, That the whole Records and Papers relating to Factories, Tutories, and Curatories retained in the Accountant's Office shall be open to Inspection on Payment of such Fees as may be fixed by the Court; but shall remain in the Office, and not be lent out unless under Authority of the Court or of the Lord Ordinary, and Copies therefrom, attested by the Accountant, shall have the same Authority as the Originals themselves, and shall be furnished to any party requiring the same, on Payment therefor of such Fees as may be fixed by the Court; and such Fees for Inspec-
tion

tion and attested Copies shall be paid weekly by the Accountant into the Fund herein-after established.

XXXVII. And be it enacted, That from and after the passing of this Act every Bank in *Scotland* with which any Money shall have been or shall be deposited or lodged by any Judicial Factor, Tutor, or Curator, or under Authority of any Court in *Scotland*, or with reference to any Suit in any Court in *Scotland*, whether on Deposit Receipt or on Account Current, or otherwise, shall once at least in every Year accumulate the Interest with the Principal Sum, so that both shall thereafter bear Interest together as Principal; and any Bank failing so to do shall be liable to account as if such Money had been so accumulated.

Banks to accumulate Principal and Interest on Accounts and Deposits.

XXXVIII. And be it enacted, That in case of the Illness or temporary Absence of the Accountant the Lord President of the Court of Session, or other Judge acting as President for the Time, may authorize any one of the Accountant's Clerks or other qualified Person to discharge the Duties of the Accountant for the Time.

Provision for Accountant's Illness or temporary Absence.

XXXIX. And be it enacted, That for establishing the Fee Fund herein-before mentioned there shall be payable by each Estate under charge of a Judicial Factor, and by each Estate of a Pupil to whom a Tutor of Law shall hereafter be served, and by the Estate of every Pupil, Insane Person, or Idiot to whom a Tutor-dative shall hereafter be appointed, and by the Estate of every Insane Person or Idiot to whom a Curator shall hereafter be served as aforesaid, and by all other Estates or Parties whom the Court may deem to have Benefit from the Services of the Accountant, such Fees as shall from Time to Time be authorized by the Court, having due Regard to the Sums required for the Purposes of this Act, and to the Interests of the Estates to be benefited thereby; and such Fees shall be lodged by the Accountant at least once in every Week in that Bank in *Edinburgh* which for the Time shall be employed by Government to transact its Business there; and such Fees, with any Interest accruing thereon, shall form a Fee Fund, out of which the Accountant shall draw and pay his own Salary and the other Salaries herein directed to be paid, and the whole Expenses attending his Office and Duties; and the Accountant shall annually exhibit an Account of his Intromissions with the said Fee Fund to the Queen's and Lord Treasurer's Remembrancer of the Court of Exchequer in *Scotland*, who is hereby required to examine and audit such Account, and thereafter to submit the same to the Lord President of the Court of Session with a view to the Re-consideration by the Court of the Fees then in use to be charged, and such

Establishment of Fee Fund.

such Fees shall be so regulated, increased, or diminished by the Court from Year to Year, or oftener, as to keep up the Fee Fund to an Amount sufficient for answering the Charges thereon, and for providing such reserved Fund as may be necessary to meet the current and contingent Expenses of the Establishment; and any Surplus arising on such Fee Fund shall be paid over to the said Queen's and Lord Treasurer's Remembrancer, and remain in his Hands to meet the future Charges on such Fee Fund; and the Accountant shall enter into Bond to Her Majesty with Surety for his Intromissions to the Satisfaction of the said Queen's and Lord Treasurer's Remembrancer, and to such Amount, and either by a public Company or Private Individual as to him may seem proper.

Power to
pass Acts
of Seder-
runt.

XL. And be it enacted, That it shall be competent to the Court of Session, and they are hereby authorized and required, from Time to Time, to pass such Acts of Sederunt as shall be necessary or proper for the further Regulation of the Manner of appointing Judicial Factors, and the Manner of discharging their Duty, and the Manner of discharging the Duties of the Accountant, and the Manner of applying the Provisions of this Act to the case of Tutors and Curators, and the Forms of Process to be used in pursuance of this Act, and the Manner of verifying by Affidavit, Declaration, Certificate, or otherwise, the Sufficiency of the Caution offered for Factors, Tutors, and Curators, and all other Matters requisite for more effectually carrying out the Purposes of this Act.

Act may
be amend-
ed, &c.

XLI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

CAP. LII.

An Act to suspend, until the First Day of October One thousand eight hundred and fifty, the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.—[28th July 1849.]

CAP. LIII.

An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors in Ireland.—[28th July 1849.]

CAP. LIV.

CAP. LIV.

An Act to continue until the First Day of October One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads.—[28th July 1849.] (England.)

CAP. LV.

An Act to abolish the Gaol of Newgate in the County of the City of Dublin, and provide Compensation for the Officers thereof, and to enable the Grand Jury of the County of the said City to increase the Salaries of the Chaplains of certain other Gaols thereof, and to re-assess on the County of the said City certain Arrears of Grand Jury Cess.—[28th July 1849.]

CAP. LVI.

An Act to continue, until the Thirty-first Day of July One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty for amending the Law relative to Private Lunatic Asylums in Ireland.—[28th July 1849.]

CAP. LVII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England and Wales.—[28th July 1849.]

CAP. LVIII.

An Act to extend to the Officers of Inland Revenue the Privilege of becoming Members of the Excise Benevolent Fund Society.—[28th July 1849.]

CAP. LIX.

CAP. LIX.

An Act to amend an Act of the Tenth Year of Her Majesty, for facilitating the Improvement of Landed Property in Ireland.—[28th July 1849.]

CAP. LX.

An Act further to amend an Act of the Tenth Year of Her present Majesty, for rendering valid certain Proceedings for the Relief of Distress in Ireland, by Employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings.—[28th July 1849.]

CAP. LXI.

An Act to continue, until the First Day of October One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.—[28th July 1849.] (England.)

CAP. LXII.

An Act to authorize the Advance of Money out of the Consolidated Fund to the Midland Great Western Railway of Ireland Company.—[28th July 1849.]

CAP. LXIII.

An Act to authorize a further Advance of Money for the Relief of certain distressed Poor Law Unions in Ireland.—[28th July 1849.]

CAP. LXIV.

An Act to remove Doubts as to the Authority of Justices of the Peace to act in certain Matters relating to the Poor in Cities and Boroughs.—[28th July 1849.] (England.)

CAP. LXV.

CAP. LXV.

An Act to provide a more convenient Mode of Levying and collecting County Rates, County Police Rates, and District Police Rates in Parishes situated partly within and partly without the limits of Boroughs which are not liable to such Rates.—[28th July 1849.]
(England & Wales.)

CAP. LXVI.

An Act for enabling Colonial Legislatures to establish Inland Posts.—[28th July 1849.]

CAP. LXVII.

An Act to extend the Remedies of Sequestrators of Ecclesiastical Benefices.—[28th July 1849.]

CAP. LXVIII.

An Act for facilitating the Marriage of British Subjects resident in Foreign Countries.—[28th July 1849.]

CAP. LXIX.

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland, with respect to Persons charged with Indictable Offences.—[28th July 1849.]

CAP. LXX.

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland, with respect to Summary Convictions and Orders.—[28th July 1849.]

CAP. LXXI

CAP. LXXI.

An Act to dissolve Regimental Benefit Societies, and to provide for the Application of the Funds of such Societies, and of Regimental Charitable Funds.—
[28th July 1849.]

CAP. LXXII.

An Act further to amend the Acts relating to the Offices of the House of Commons.—[28th July 1849.]

CAP. LXXIII.

An Act to limit the Enlistment in the Artillery and other Ordnance Corps.—[28th July 1849.]

CAP. LXXIV.

An Act for the further Relief of Trustees.—[28th July 1849.] (England.)

CAP. LXXV.

An Act to defray until the First Day of August One thousand eight hundred and fifty the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeon's Mates, and Sergeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.—[28th July 1849.]

CAP. LXXVI.

An Act to protect Women from fraudulent Practices for procuring their Defilement.—[28th July 1849.]

CAP. LXXVII.

CAP. LXXVII.

An Act further to facilitate the Sale and Transfer of Incumbered Estates in Ireland.—[28th July 1849.]

CAP. LXXVIII.

An Act for the more effectual Taxation of Costs on Private Bills in the House of Lords, and to facilitate the Taxation of other Costs on Private Bills in certain Cases.—[28th July 1849.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to establish a Taxation of Costs on Private Bills in the House of Lords*: And whereas it is expedient to repeal the same, and to make more effectual Provision for taxing the Costs and Expenses to be charged by Parliamentary Agents, Attornies, Solicitors, and others, in future Sessions of Parliament, in respect of Bills subject to the Payment of Fees in Parliament, commonly called Private Bills, and to be incurred in complying with the Standing Orders of the House of Lords relative to such Bills, and in preparing, bringing in, and carrying the same through, or in opposing the same in, the House of Lords, and to facilitate the Taxation of other Costs incurred in respect of Private Bills, in certain Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, except as to any Costs, Charges, and Expenses which shall have been incurred in the present or any preceding Session of Parliament, the said recited Act shall be repealed.

II. And be it enacted, That no Parliamentary Agent, Attorney, or Solicitor, nor any Executor, Administrator, or Assignee of any Parliamentary Agent, Attorney, or Solicitor, shall commence or maintain any Action or Suit for the Recovery of any Costs, Charges, or Expenses in respect of any Proceedings in the House of Lords in any future Session of Parliament relating to any Petition for a Private Bill, or Private Bill, or in respect of complying with the Standing Orders of the said House relative thereto, or in preparing, bringing in, and carrying the same through, or opposing the same in, the House of Lords, until the Expiration of One Month after such Parliamentary Agent, Attorney, or Solicitor,

Recited
Act 7 & 8
G. 4. c. 64.
repealed.

Parliamentary
Agent,
Attorney,
or Solicitor
not to
sue for
Costs until
One Month
after Delivery
of his Bill.

or Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, has delivered unto the Party to be charged therewith, or sent by Post to or left for him at his Counting-house, Office of Business, Dwelling House, or last known place of Abode, a Bill of such Costs, Charges, and Expenses, and which Bill shall either be subscribed with the proper Hand of such Parliamentary Agent, Attorney, or Solicitor, or in the Case of a Partnership by any of the Partners, either with his own Name or with the name of such Partnership, or of the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or be enclosed in or accompanied by a Letter subscribed in like Manner referring to such Bill: Provided always, that it shall not in any Case be necessary, in the first instance, for such Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, in proving a Compliance with this Act, to prove the Contents of the Bill delivered, sent, or left by him, but it shall be sufficient to prove that a Bill of Costs, Charges, and Expenses, subscribed in manner aforesaid, or enclosed in or accompanied by such Letter as aforesaid, was delivered, sent, or left in manner aforesaid; but nevertheless it shall be competent for the other Party to show that the Bill so delivered, sent, or left was not such a Bill as constituted a *bonâ fide* Compliance with this Act: Provided also, that it shall be lawful for any Judge of the Superior Courts of Law or Equity in *England* or *Ireland*, or of the Court of Session in *Scotland*, to authorize a Parliamentary Agent, Attorney, or Solicitor to commence an Action or Suit for the Recovery of his Costs, Charges, and Expenses against the Party chargeable therewith, although One Month has not expired from the Delivery of a Bill as aforesaid, on Proof to the Satisfaction of the said Judge that there is probable Cause for believing that such Party is about to quit that Part of the United Kingdom in which such Judge hath Jurisdiction.

Evidence
of De-
livery of
Bill.

Power to
Judge to
authorize
Action be-
fore Ex-
piration
of One
Month.

Taxing
Officer to
be appoint-
ed by the
Clerk of
Parlia-
ments or
Clerk As-
sistant.

The Clerk
of Parlia-
ments or

III. And be it enacted, That the Clerk of the Parliaments, when discharging the Duties of his Office in Person, or in his Absence the Clerk Assistant, shall appoint a fit Person to be the Taxing Officer of the House of Lords; and every Person so appointed shall hold his Office during the Pleasure of the Clerk of the Parliaments or Clerk Assistant, and shall execute the Duties of his Office conformably to such Directions as he may from Time to Time receive from the Clerk of the Parliaments or Clerk Assistant.

IV. And be it enacted, That the Clerk of the Parliaments, when discharging the Duties of his Office in Person, or in his
Absence

Absence the Clerk Assistant, may from Time to Time prepare a List of such Charges as it shall appear to him that, after the present Session of Parliament, Parliamentary Agents, Attornies, Solicitors, and others may justly make with reference to the several Matters comprised in such List; and the several Charges therein specified shall be the utmost Charges thenceforth to be allowed upon the Taxation of any such Bill of Costs, Charges, and Expenses in respect of the several Matters therein specified: Provided always, that the said Taxing Officer may allow all fair and reasonable Costs, Charges, and Expenses in respect of any Matters not included in such List.

Clerk Assistant to prepare List of Charges thenceforth to be allowed.

V. And be it enacted, That for the Purpose of any such Taxation the said Taxing Officer may examine upon Oath any Party to such Taxation, and any Witnesses who may be examined in relation thereto, and may receive Affidavits, sworn before him or before any Master or Master Extraordinary of the High Court of Chancery, relative to such Costs, Charges, or Expenses; and any Person who on such Examination on Oath or in any such Affidavit shall wilfully or corruptly give false Evidence shall be liable to the Penalties of wilful and corrupt Perjury.

Taxing Officer empowered to examine Parties and Witnesses on Oath.

VI. And be it enacted, That the said Taxing Officer shall be empowered to call for the Production of any Books or Writings in the Hands of any Party to such Taxation relating to the Matters of such Taxation.

Taxing Officer empowered to call for Books and Papers.

VII. And be it enacted, That it shall be lawful for the said Taxing Officer to demand and receive for any such Taxation such Fees as the House of Lords may from Time to Time by any Order authorize and direct, and to charge the said Fees, and also to award Costs of such Taxation against either Party to such Taxation, or in such Proportion against each Party as he may think fit, and he shall pay and apply the Fees so received by him in such Manner as shall be directed by any such Order as aforesaid.

Taxing Officer to take such Fees as may be allowed by House of Lords. Application of Fees.

VIII. And be it enacted, That if any Person upon whom any Demand shall be made by any Parliamentary Agent, Attorney, or Solicitor, or Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, for any Costs, Charges, or Expenses in respect of any Proceedings in the House of Lords in any future Session of Parliament relating to any Petition for a Private Bill, or Private Bill, or in respect of complying with the Standing Orders of the said House relative thereto, or in preparing, bringing in, or carrying the same through, or in opposing the same in, the House of Lords, or if any Parliamentary Agent, Attorney, or Solicitor, the Taxing Officer to tax the

On Application of Party chargeable or on Application of Parliamentary Agent, Attorney, or Solicitor, the Taxing Officer to tax the

Attorney, Bill.

Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, who shall be aggrieved by the Nonpayment of any Costs, Charges, and Expenses incurred or charged by him in respect of any such Proceedings as aforesaid, shall make application to the said Taxing Officer at his Office for the Taxation of such Costs, Charges, and Expenses, the said Taxing Officer, on receiving a true Copy of the Bill of such Costs, Charges, and Expenses which shall have been duly delivered as aforesaid to the Party charged therewith, shall in due Course proceed to tax and settle the same; and upon every such Taxation, if either the Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, by whom such Demand shall be made as aforesaid, or the Party charged with such Bill of Costs, Charges, and Expenses, having due Notice, shall Refuse or neglect to attend such Taxation, the said Taxing Officer may proceed to tax and settle such Bill and Demand *ex parte*; and if pending such Taxation any Action or other Proceeding shall be commenced for the Recovery of such Bill of Costs, Charges, and Expenses, the Court or Judge before whom the same shall be brought shall stay all Proceedings thereon until the Amount of such Bill shall have been duly certified by the Clerk of the Parliaments or Clerk Assistant as herein-after provided: Provided always, that no such Application shall be entertained by the said Taxing Officer if made by the Party charged with such Bill after a Verdict shall have been obtained or a Writ of Inquiry executed in any Action for the Recovery of the Demand of any such Parliamentary Agent, Attorney, or Solicitor, or the Executor, Administrator, or Assignee of such Parliamentary Agent, Attorney, or Solicitor, or other Person, or after the Expiration of Six Months, after such Bill shall have been delivered, sent, or left as aforesaid: Provided also, that if any such Application shall be made after the Expiration of Six Months as aforesaid it shall be lawful for the Clerk of the Parliaments or Clerk Assistant aforesaid, if he shall so think fit, on receiving a Report of special Circumstances from the said Taxing Officer, to direct such Bill to be taxed.

No Appli-
cation to
be enter-
tained by
Taxing
Officer
after Ver-
dict ob-
tained.

Taxing
Officer to
report to
the Clerk
of the
Parlia-
ments.

IX. And be it enacted, That the said Taxing Officer shall report his Taxation to the Clerk of the Parliaments or Clerk Assistant as aforesaid, and in such Report shall state the Amount fairly chargeable in respect of such Costs, Charges, and Expenses, together with the Amount of Costs and Fees payable in respect of such Taxation as aforesaid, and shall also state in such Report the Amount due in respect of the said Costs, Charges, and Expenses; and within Twenty-one clear

Days

Days after any such Report shall have been made either Party may deposit in the Office of the Clerk of the Parliaments a Memorial addressed to the Clerk of the Parliaments or Clerk Assistant as aforesaid, complaining of such Report or any Part thereof, and such Clerk of the Parliaments or Clerk Assistant as aforesaid may, if he shall so think fit, refer the same, together with such Report, to the said Taxing Officer, and may require a further Report in relation thereto, and on receiving such further Report may direct the said Taxing Officer, if necessary, to amend his Report; and if no such Memorial be deposited as aforesaid, or so soon as the Matters complained of in any such Memorial shall have been finally disposed of, such Clerk of the Parliaments or Clerk Assistant as aforesaid shall, upon Application made to him, deliver to the Party concerned therein, and requiring the same, a Certificate of the Amount so ascertained, which Certificate shall be binding and conclusive on the Parties as to the Matters comprised in such Taxation, and as to the Amount of such Costs, Charges, and Expenses, and the Amount due in respect of the same, and of the Costs and Fees payable in respect of such Taxation, in all Proceedings at Law or in Equity or otherwise; and in any Action or other Proceeding brought for the Recovery of the Amount so certified to be due such Certificate shall have the Effect of a Warrant of Attorney to confess Judgment; and the Court in which such Action shall be commenced, or any Judge thereof, shall, on Production of such Certificate, order Judgment to be entered up for the Sum specified in such Certificate, in like Manner as if the Defendant in any such Action had signed a Warrant to confess Judgment in such Action to that Amount: Provided always, that if such Defendant shall have pleaded that he is not liable to the Payment of such Costs, Charges, and Expenses, such Certificate shall be conclusive only as to the Amount thereof which shall be payable by such Defendant in case the Plaintiff shall in such Action recover the same.

X. And be it enacted, That if any Bill of Costs taxable by virtue of this Act, or of "The House of Commons Costs Taxation Act, 1847," shall comprise any Costs, Charges, and Expenses incurred in respect of a Private Bill, but not taxable by virtue of the Act in pursuance whereof such Bill shall come to be taxed, it shall be lawful for the Taxing Officer of the House of Lords, or for the Taxing Officer of the House of Commons, as the Case may be, either to tax and settle such last-mentioned Costs, Charges, and Expenses, or to request the Taxing Officer of the other House of Parliament, or the proper Officer of any other Court having such an Officer, to assist him in taxing and settling any Part of such Bill; and such

If either Party complain of Report, they may deposit a Memorial, and the Clerk of the Parliaments may require a further Report.
If no Memorial deposited, Clerk of the Parliaments may issue Certificate of the Amount found due.
Certificate to have the Effect of a Warrant to confess Judgment.

Taxing Officer of either House may tax Costs not otherwise taxable under the Act by virtue of which any Bill shall be taxed; and may request

other
Officers to
assist him.

Such Offi-
cers to
have the
same
Powers as
in taxing
other
Costs.

Taxing
Officers to
include
certain
Costs in
their
Reports,
and Certifi-
cates of the
Amount to
be de-
livered.

Officers of
other
Courts
may re-
quest the
Taxing
Officer of
either
House to
tax Parts
of Bills

Taxing
Officer of
either
House
may take
an Ac-

such Officer so requested shall thereupon proceed to tax and settle the same, and shall return the same, with his Opinion thereupon, to the Officer who shall have so requested him to tax and settle the same; and in taxing such Costs, Charges, and Expenses the Taxing Officer of the House of Lords and the Taxing Officer of the House of Commons respectively shall have the same Powers and may receive the same Fees in respect of such Taxation as if such Costs, Charges, and Expenses were taxable by virtue of this Act, or of the "House of Commons Costs Taxation Act, 1847," as the Case may be; and the proper Officer of any Court so requested to tax the same shall have the same Powers and may receive the same Fees as upon a Reference from the Court of which he is such Officer.

XI. And be it enacted, That the Taxing Officer of the House of Lords, or the Taxing Officer of the House of Commons, as the Case may be, may include the Amount of such last-mentioned Costs, Charges, and Expenses in the Report of his Taxation of any such Bill of Costs; and in case the Clerk of the Parliaments or Clerk Assistant, or the Speaker of the House of Commons, as the Case may be, shall deliver a Certificate of the Amount so ascertained and declared in such Report, including such last-mentioned Costs, Charges, and Expenses, such Certificate shall have the same Force and Effect as if the whole of such Bill of Costs were taxable by virtue of the Act in pursuance whereof such Certificate shall be so delivered.

XII. And be it enacted, That in case the Taxing Officer of the House of Lords, or the Taxing Officer of the House of Commons, shall be requested by the proper Officer of any other Court to assist him in taxing and settling any Costs, Charges, and Expenses incurred in respect of a Private Bill, being Part of any Bill of Costs which shall have been referred to him by the Court of which he is such Officer, such Taxing Officer so requested shall thereupon proceed to tax and settle the same, and shall return the same, with his Opinion thereupon, to the Officer who shall have so requested him to tax and settle the same, and shall have the same Powers and may receive the same Fees in respect of such Taxation as if Application had been made to him for the Taxation thereof in pursuance of this Act, or of the "House of Commons Costs Taxation Act, 1847," as the Case may be.

XIII. And be it enacted, That it shall be lawful for the Taxing Officer of the House of Lords and for the Taxing Officer of the House of Commons to take an Account between the Parties to any Taxation under this Act or the "House of Commons Costs Taxation Act, 1847," of all Sums of Money
paid

paid or received in respect of any Bill of Costs which is the Subject of such Taxation, or any Matters contained therein, and to report the Amount of all such Sums of Money and the Amount due in respect of such Bills of Costs.

count between the Parties.

XIV. And be it enacted, That in the Construction of this Act the Word "Month" shall be taken to mean a Calendar Month; and every Word importing the Singular Number only shall extend and be applied to several Persons, Matters, or Things, as well as one Person, Matter or Thing; and every Word importing the Plural Number shall extend and be applied to one Person, Matter, or Thing, as well as several Persons, Matters, or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Person" shall extend to any Body Politic, Corporate, or Collegiate, Municipal, Civil, or Ecclesiastical, Aggregate or Sole, as well as an Individual; and the Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Person allowed by Law to make a Declaration instead of taking an Oath; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Construction of certain Words in this Act.

XV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal and other Instruments, it shall be sufficient to use the Expression "The House of Lords Costs Taxation Act, 1849."

Form of citing the Act.

XVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

CAP. LXXIX.

An Act to facilitate the Execution of Conveyances and other Instruments by or on behalf of the New Zealand Company in New Zealand.—[1st August 1849.]

CAP. LXXX.

An Act to repeal the Allowances on the Purchase of Stamps and for the receiving and accounting for the Duties on Gold and Silver Plate, and to grant other Allowances in lieu thereof.—[1st August 1849.]

CAP. LXXXI.

CAP. LXXXI.

An Act to authorize Her Majesty to issue a Commission to inquire into and report upon Rights or Claims over the New Forest in the County of Southampton and Waltham Forest in the County of Essex.—[1st August 1849.]

CAP. LXXXII.

An Act to relieve Boroughs, in certain Cases, from Contribution to certain Descriptions of County Expenditure.—[1st August 1849.] (England & Wales.)

CAP. LXXXIII.

An Act further to facilitate the Inclosure of Commons, and the Improvement of Commons and other Lands.—[1st August 1849.] (England.)

CAP. LXXXIV.

An Act for carrying into effect Engagements between Her Majesty and certain Arabian Chiefs in the Persian Gulf, for the more effectual Suppression of the Slave Trade.—[1st August 1849.]

CAP. LXXXV.

An Act to amend an Act for the Regulation of Municipal Corporations in Ireland, so far as relates to the Borough of Dublin.—[1st August 1849.]

CAP. LXXXVI.

An Act to provide additional Funds for Loans by the Public Works Loan Commissioners for building Workhouses in Ireland.—[1st August 1849.]

CAP. LXXXVII.

CAP. LXXXVII.

An Act to continue certain Turnpike Acts in Great Britain for limited Periods, and to make certain Provisions respecting Turnpike Roads in England.—[1st August 1849.]

WHEREAS it is expedient to continue for limited Times the Acts herein-after specified, and to amend the general Laws in *England* relating to Turnpike Roads: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament, shall be continued until the First Day of *October* in the Year One thousand eight hundred and fifty, and to the End of the then next Session of Parliament, except an Act of the Sixth Year of King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road from Brompton and Earles Court, in the Parish of Saint Mary Abbots, Kensington, in the County of Middlesex, to communicate with the Road called Fulham Fields Road at North End in the same County, and for making another Turnpike Road to communicate therewith from the High Road from London to Fulham, in the said County*; and an Act passed in the Ninth Year of King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road from North End to Hammersmith Bridge, both in the County of Middlesex*; and an Act of the Eighth Year of King *George* the Fourth, intituled *An Act for more effectually repairing and maintaining the Road from Whitby to Middleton, in the County of York*; and an Act of the Ninth Year of King *George* the Fourth, intituled *An Act for more effectually repairing and maintaining several Roads leading from Lymington, in the County of Southampton, and the Road to Wilverly Post, in the New Forest*; and except as herein-after mentioned.

VIII. And be it enacted, That this Act shall not apply to *Ireland*, nor, except in respect of the Continuance of the Acts hereby continued, to *Scotland*.

CAP. LXXXVIII.

An Act to amend the Laws relating to Pilotage.—[1st August 1849.]

§ I. Masters and Mates of Merchant Vessels, after passing an Examination before legally constituted Authorities to be competent to pilot Vessels, within the limits in regard to which they shall have passed their Examination.

II. Act may be amended, &c.

CAP. LXXXIX.

An Act to reduce the Number of Signatures required to Instruments issued by the Lords of the Treasury.—[1st August 1849.]

CAP. XC.

An Act to amend the Laws relating to the Customs.—[1st August 1849.]

CAP. XCI.

An Act to provide for the Collection of Rates in the City of Dublin.—[1st August 1849.]

CAP. XCII.

An Act for the more effectual Prevention of Cruelty to Animals.—[1st August 1849.] (England.)

CAP. XCIII.

An Act to amend the Metropolitan Sewers Act.—[1st August 1849.]

CAP. XCIV.

An Act for confirming certain Provisional Orders of the General Board of Health, and for other Matters relative to the Public Health and the Improvement of Towns and populous Places.—[1st August 1849.] (England.)

CAP. XCV.

CAP. XCV.

An Act to amend the Law concerning Judgments in Ireland.—[1st August 1849.]

CAP. XCVI.

An Act to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty.—[1st August 1849.]

CAP. XCVII.

An Act for the Improvement of the City of Dublin.—[1st August 1849.]

CAP. XCVIII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-nine; and to appropriate the Supplies granted in this Session of Parliament.—[1st August 1849.]

CAP. XCIX.

An Act to encourage Endowment of Chapels of Ease, and facilitate Assignment of Pastoral Districts thereto; and to amend an Act of the Eighth Year of Her present Majesty for Marriages in Ireland, and for registering such Marriages.—[1st August 1849.]

CAP. C.

An Act to promote the Advance of private Money for Drainage of Lands in Great Britain and Ireland.—[1st August 1849.]

WHEREAS an Act was passed in the Ninth and Tenth Years of Her present Majesty, intituled *An Act to authorize the Advance of public Money to a limited Amount to promote the Improvement of Land in Great Britain and Ireland by Works of Drainage*: And whereas an Act was passed in the Tenth

9 & 10 Vict.
c. 101.

- 10 & 11
Vict. c. 11. Tenth Year of Her present Majesty, intituled *An Act to explain and amend the Act authorizing the Advance of Money for the Improvement of Land by Drainage in Great Britain*: And whereas an Act was passed in the last Session of Parliament, intituled *An Act to simplify the Forms of Certificates under the Act authorizing the Advance of Money for the Improvement of Land by Drainage in Great Britain*: And whereas it is desirable that Works of Drainage should continue to be encouraged, in order to promote the increased Productiveness of the Land and Healthiness of the Districts where it is required, and to supply the Demand for Agricultural Labour, especially at that Season of the Year when other Sources are suspended: And whereas the whole Sum mentioned in the first-recited Act, namely, Two Millions Sterling for *Great Britain* and One Million Sterling for *Ireland*, has been already applied for and appropriated, and additional Sums have been granted under subsequent Acts for *Ireland*, and Applications have been made for a further Sum of Half a Million and upwards for *Great Britain*, and for further Sums for *Ireland*, and it is expedient that the same should be advanced by private Individuals, and that Owners of Land should be enabled or authorized (with the Sanction of the Inclosure Commissioners for *England* and *Wales*) to borrow or advance Money to be expended with the like Sanction in draining such Lands: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Inclosure Commissioners for *England* and *Wales* shall be the Commissioners for the Execution of this Act in *Great Britain*, and it shall be lawful for the said Inclosure Commissioners to employ in the Execution of this Act the Assistant Commissioners, Secretary, Surveyors, Clerks, Messengers, and Officers who have been or may be appointed by the said Commissioners under an Act passed in the Eighth and Ninth Years of Her present Majesty, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands, to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts, and to provide for the Revival of such Powers in certain Cases*, and the said first-recited Act, respectively; and the said Inclosure Commissioners may, with such Consent as Provided by the said Act of the Session of Parliament holden in the Eighth and Ninth Years of Her present Majesty in respect of Appointments under such Act, from Time to Time appoint
- 11 & 12
Vict. c. 119.
- Inclosure Commissioners to be the Commissioners for the Execution of this Act.
- 8 & 9 Vict. c. 118.

a sufficient Number of Persons to be Assistant Commissioners and Surveyors respectively for the Purposes of this Act, and may from Time to Time remove any such Assistant Commissioners and Surveyors; and the Allowances and travelling and other Expenses of such Assistant Commissioners and Surveyors shall be regulated as to the Amount thereof in like Manner as provided by the said last-mentioned Act in respect of Allowances and Expenses to Assistant Commissioners under the same Act, and such Allowances shall not exceed the Allowances payable to the last-mentioned Assistant Commissioners; and the Commissioners for the Execution of this Act in *Ireland* shall be the Commissioners of Public Works in *Ireland* under an Act of the First and Second Years of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, and of an Act of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote Drainage of Lands and Improvement of Navigation and Water Power in connexion with Drainage in Ireland*, and of the several Acts amending the same respectively, and such Commissioners shall have full Power and Authority, with the Approbation of the Commissioners of Her Majesty's Treasury, to employ such Civil Engineers, Surveyors, Clerks, and other Officers appointed under the said last-mentioned Acts respectively as may be necessary for carrying this Act into execution.

Allow-
ances and
Expenses
to be regu-
lated as
provided
by 8 & 9
Vict. c.
118.

Commis-
sioners of
Public
Works to
be Com-
missioners,
and have
Power to
employ
their Offi-
cers for the
Execution
of this Act,
in *Ireland*.

II. And be it enacted, That it shall be lawful for the Owner of any Land in *Great Britain* or *Ireland*, who shall be desirous of borrowing or advancing Money for the Improvement of such Lands by Works of Drainage under the Provisions of this Act, to borrow or advance Money for such Purpose, and to have the Money expended in such Improvement, and in defraying the Expenses incident thereto, charged on the Inheritance of such Land, in manner and with the Priority herein mentioned.

Owner of
Land may
borrow or
advance
Money.

III. And be it enacted, That when any Owner of Land shall be desirous of borrowing or advancing Money under this Act he shall make an Application to the Commissioners to authorize such Loan, and such Application shall be made in such Manner and Form and contain such Particulars as the Commissioners shall from Time to Time direct; and until a Certificate of the Allowance thereof shall have been issued by the Commissioners such Application may be withdrawn or altered, or consolidated with any other Application, at the Pleasure of the Applicant, but without Prejudice to his Liability as herein-after mentioned for the Expenses incurred in

Applica-
tion to be
made to
Commis-
sioners.

in consequence thereof by the Commissioners or their Officers.

Inspection
of Land to
be made
by Offi-
cers of
Commis-
sioners.

IV. And be it enacted, That it shall be lawful for the Commissioners on such Application to cause the Land specified in such Application to be inspected, and the Application to be reported upon, by an Assistant Commissioner, Surveyor, or Engineer, or otherwise; and the Commissioners shall upon such Report determine and certify under their Seal whether any and what Amount of Money shall be authorized to be borrowed or advanced under this Act in respect of the Land specified in such Application, and they shall by the same or by some subsequent Certificate fix the Rate of Interest, not exceeding Five *per Cent. per Annum*, to be paid in respect of any Money to be so borrowed or advanced; and such Report as aforesaid shall contain such Particulars of the Land proposed to be drained, and of the Manner of effecting the Drainage thereof, and of the estimated Expense of such Drainage, and of the Improvement to be thereby effected in the annual Value of the Land, as in the Opinion of the Party making such Report will be sufficient to enable the Commissioners to judge of the Expediency of allowing the Application; and the Commissioners shall after the Issue of their Certificate of Allowance be at liberty from Time to Time to authorize an Abandonment of any Part of the proposed Works of Drainage, or any Variation therein which they may think expedient, on such Terms and Conditions as they shall think reasonable.

Certain
Provisions
in first-re-
cited Act
as to No-
tices of
Applica-
tions in-
corporated.

V. And be it enacted, That the Provisions of the said first-recited Act relating to Notice by Advertisement of Application for Advances for Drainage Purposes, and to the Proceedings to be had in consequence of any Dissent to such Application, or relating to the Consent of the Bishop of the Diocese and Patron of the Benefice to any such Application in relation to Land held in right of any Church, Chapel, or other Ecclesiastical Benefice, shall (save so far as the same are inconsistent with or repugnant or inapplicable to the Provisions of this Act) be deemed to be incorporated herein.

Recovery
of Ex-
penses
where Ap-
plication
refused or
no Money
can be
raised.

VI. And be it enacted, That in the Case of an Application for Authority to borrow Money where the Commissioners shall determine that no Money shall be borrowed in pursuance of such Application, or where the Money authorized to be borrowed, or a competent Part thereof (as to which the Decision of the Commissioners shall be conclusive), shall not be raised, and paid into the Bank as herein-after mentioned, within Six Months from the Allowance of such Application, and in the Case of an Application for Authority to advance Money by the Owner of Land himself, whether the Commissioners shall determine

determine that any Money shall or shall not be advanced in pursuance of such Application, the Expenses which the Commissioners or their Officers shall have incurred by or in consequence of such Application (the Amount whereof shall be conclusively certified by the Commissioners,) shall be a Debt due by the Party making such Application to the Commissioners, and shall be recoverable by them as in the Nature of a Crown Debt.

VII. And be it enacted, That in Cases where any Sum of Money shall be authorized by the Commissioners to be raised in pursuance of any such Application, the Party or Parties willing to advance the same or any Part thereof, other than the Owner of Land making the Application, shall pay the same into the Bank of *England*, or into some Bank in *Scotland* established by Act of Parliament or Royal Charter, or in *Ireland* into the Bank of *Ireland*, as the Case may be, or into some convenient Branch Bank thereof respectively, to be specified by the Commissioners in their Certificate of Allowance of the Application; and such Payment or Payments shall be to the Credit of the Commissioners to an Account the Title whereof shall be named in said last-mentioned Certificate, and such Monies shall, until duly applied under this Act, be the Property of the Commissioners; but nevertheless the Commissioners, observing the Rules and Regulations of this Act, shall not, either collectively or individually, be answerable for any Monies which shall have been paid into the said Banks or any of them, or any Branch thereof.

When Application allowed, Money to be paid into the Bank.

VIII. And be it enacted, That in any Case where more than One Party shall be willing to contribute towards such Advance, the Applicant, if willing to contribute thereto, shall have the Preference as a Lender, or shall be entitled to name the Party or Parties who shall have such Preference; and the Commissioners shall be entitled to name the minimum Amount to be paid into the Bank as One Contribution towards such Advance; and upon each Contribution being paid into the Bank a Banker's Certificate for the same, in a Form to be from Time to Time approved of by the Commissioners, shall be delivered to the Parties paying in the same, and thenceforth such Parties shall not be concerned to see to the Application or suffer for the Misapplication of the Amount for which such Banker's Certificate shall have been taken.

As to Payment of Contribution to Loan, and Banker's Certificates for the same.

IX. And be it enacted, That unless such Contribution shall have been paid into the Bank in contravention of the aforesaid Provisions as to Priority of Right to contribute (in which Case the Amount thereof shall be repaid) the Bankers' Certificates for the same shall be transmitted to the Office of the Commissioners,

Bankers' Certificates for Contributions to be exchanged for Grants by Com-

missioners
of Rent-
charges for
Twenty-
two Years
each.

Commissioners, who shall in exchange for the same issue a Grant, in such Form as they shall deem fit, in their Name and under their Seal to the Party or Parties named in each such Certificate (if more than One, as Joint Tenants), his or their Executors, Administrators, or Assigns, of a Rent-charge to be issuable out of the Land in respect whereof such Advance shall have been authorized, or out of such Part thereof to be specified in such Grant as the Commissioners shall think proper and sufficient, such Rent-charge to be Personal Estate, and to commence on the Day of the Date of such Banker's Certificate, and to be payable by half-yearly Payments for and during the Term of Twenty-two Years.

Commis-
sioners to
issue a
Grant of
Rent-
charge to
Owner of
Lands.

X. And be it enacted, That in Cases where the Owner of Land himself shall advance the Money or Part of the Money for the Purposes of this Act, the Commissioners, on being satisfied by a Report of an Assistant Commissioner, Surveyor, or otherwise that the Money advanced by such Owner has been duly expended upon the Drainage Works sanctioned by the Commissioners to be executed, or upon any Part thereof which will, independently of the Part remaining unexecuted, be complete in itself, and upon the Expenses thereof, including the Expenses of the Commissioners and their Officers of and incident to the Application for an Advance, and that the Works will be durable and effectual, and produce an Improvement in the yearly Value of the Land exceeding the Amount of the yearly Charge which can be made under this Act in respect of such Grant, shall issue a Grant, in such Form as they shall deem fit, in their Name and under their Seal, to such Owner of Land, or to some other Person or Persons to be nominated by him or by his Executors or Administrators, of a Rent-charge to be issuable out of the Lands in respect whereof such Advance shall have been made, or out of such Part thereof to be specified in such Grant as the Commissioners shall think proper and sufficient, such Rent-charge to be Personal Estate, and to commence on the Day on which such Money shall be reported to have been duly expended as afore-said, and to be payable by half-yearly Payments for and during the Term of Twenty-two Years, and in all other respects to be on the same Footing as a Grant of a Rent-charge to any Third Person.

Rent-
charges
may be
charged on
several
Portions of
the Land

XI. And be it enacted, That in any Case where the Amount to be raised shall be contributed in several Sums, and several Bankers' Certificates shall have been taken for the same, it shall be lawful for the Commissioners to apportion the Land in respect whereof such Loan shall have been authorized, or so much thereof as the Commissioners shall think a sufficient
Security

Security for the Rent-charges to be granted in such Manner as that One or more of the Rent-charges to be granted for such Bankers' Certificates may issue exclusively out of any definite Portion or Portions of such Land in absolute Exoneration of the Remainder thereof.

included in
Applica-
tion for
Loan.

XII. And be it enacted, That if it shall be represented to the Commissioners that the Land charged with any Rent-charge under this Act is occupied in separate Farms, or shall have become the Property of separate Owners, or that the Owner thereof is entitled thereto under separate Titles or for distinct and separate Interests, or is desirous to sell or dispose of a Part or Parts of such Land, or that for any other Reason it will be desirable that such Rent-charge shall be apportioned, it shall be lawful for the Commissioners, with the Consent of the Owner or Owners of the Land charged with such Rent-charge, by Order under the Seal of the Commissioners to apportion such Rent-charge so that a separate and distinct Rent-charge may become charged on such separate Farm, or on the Land of each Owner, or on the Land held under each separate Title or for each distinct and separate Interest, or on the Part or each Part which the Owner is desirous to sell or dispose of and the Part intended to be retained by him, or on other separate Parts of the said Lands, but so that no Rent-charge under such Apportionment shall be less than Twenty Shillings; provided that the Commissioners shall and they are hereby directed, before making any such Order of Apportionment, to see that due Notice of the intended Apportionment shall have been given to the Parties entitled to give a Receipt for the said Rent-charge, or some or one of them, in order that they or he may, if necessary, dispute such Apportionment.

Apportion-
ment of
Rent-
charges.

XIII. And be it enacted, That, subject to the Provisions herein-after contained as to the Registry of Grants of Rent-charges on Lands in *Scotland*, *Middlesex*, or *Yorkshire*, or in *Ireland*, every such Rent-charge shall, without reference to the Title of the Parties making such Application (as to which the Allowance of such Application by the said Commissioners shall be conclusive), be a valid and indefeasible Charge upon the Land comprised in the Grant thereof by the said Commissioners, subject only to Tithe Rent-charges, Land Tax, local Rates and Taxes, Quit or Chief Rents incidental to Tenure, and Charges created or to be created under any Act authorizing Advances of public Money for Drainage or the Improvement of Lands, and prior to all other Charges whatsoever.

Indefeasible Title
and Pri-
ority of
Rent-
charges.

XIV. And be it enacted, That as to Lands in *Middlesex* or *Yorkshire*, or in *Ireland*, all Grants of Rent-charges thereon to be made in pursuance of this Act shall be registered in the

Registry of
Grants of
Rent-
charges on

Lands in
Middlesex,
Yorkshire,
Ireland,
and Scot-
land.

the same Manner respectively as if such Grants were made by Deed by the absolute Owner of such Lands without the Aid of this Act, and shall be liable to be postponed in point of Priority to subsequent Deeds and Conveyances, in the same Manner and to the same Extent respectively as if such Grants were made by such absolute Owner, and without reference to this Act; and all Grants of Rent-charges on Lands in *Scotland* shall be registered in the General or Particular Register of Sasines.

As to the
Recovery
of Rent-
charges in
England
and Ire-
land.
6 & 7 W.
4. c. 71.

XV. And be it enacted, That as to Lands in *England* or *Wales* such Rent-charges shall be recoverable in the same Manner as a Rent-charge in lieu of Tithes under the Act of the Seventh Year of King *William* the Fourth, intituled *An Act for the Commutation of Tithes in England and Wales*, is recoverable, but so nevertheless that as against Persons who at the Time of the taking of the Certificate for the Contribution in respect of which such Rent-charges shall have been granted, or, in the Case of an Advance by an Owner of Land at the Time of the Grant of his Rent-charge, shall have been any such Tenant for Life or Lives or Years, as is excepted from the Definition of the Term Owner of Lands in the said Act of the Seventh of *William* the Fourth, and shall not have concurred in such Application for a Loan or Advance as aforesaid, the Party entitled to such Rent-charge shall not during the Subsistence of such Tenancy or Term be entitled to any further or other Remedy for the Recovery thereof than if he were entitled to the immediate legal Reversion expectant on the Determination of such Tenancy or Term; and any Rent-charge which shall become charged on Land in *Ireland* by virtue of this Act shall be recoverable by the same Means and in the same Manner, and with the like Remedies for the Recovery thereof, in all respects as a Rent-charge in lieu of Tithe charged on the same Lands is now recoverable under and by virtue of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to abolish Compositions for Tithes in Ireland, and to substitute Rent-charges in lieu thereof*, and the several Acts passed for amending the same.

1 & 2 Vict.
c. 109.

As to Re-
covery of
Rent-charge
in Scot-
land.

XVI. And be it enacted, That as to Lands in *Scotland* every Rent-charge which shall become charged on Land by virtue of this Act shall be recoverable by the same Means and in the like Manner in all respects as any Feu-Duty, or Rent or annual Rent, or other Payment payable out of the same Lands, would be recoverable, but shall be subsequent in Order of Charge to any Feu Duty.

XVII. And be it enacted, That if any Tenant or Occupier
at

at a Rent join in the Application for an Improvement, or by Writing under his Hand signify to the Commissioners, or to any Assistant Commissioner, Surveyor, or Engineer, his Consent to become charged with the Charge or an apportioned Part thereof, such Tenant or Occupier shall during his Tenancy or Occupation be liable to pay the Charge or an apportioned Part thereof, as herein-after mentioned; and in case the Application be made for a Charge in respect of the Improvement as well of other Land as of the Land included in such Tenancy or Occupation, the Commissioners may, upon such Concurrence or Consent of such Tenant or Occupier, by any Certificate to be made in pursuance of this Act, or by a separate Order of Apportionment, declare what Portion of the whole Rent-charges or Rent-charge payable in respect of the Improvement shall be payable by such Tenant or Occupier, during his Tenancy or Occupation, in respect of the probable Improvement of the Land included in his Tenancy or Occupation; but, except as aforesaid, every Tenant or Occupier who pays such Charge shall be entitled to deduct the Amount thereof from the Rent payable by him to the Reversioner, and shall be allowed the same in account with him.

Tenant may deduct Rent-charge, except where he has agreed to pay same.

XVIII. And be it enacted, That no Arrears of any Rent-charge created under this Act shall be recoverable after the Expiration of Three Years from the Time when the same became payable, and no Interest shall be recoverable in respect of any Arrears of any such Rent-charge.

Arrears of Rent-charge not to be recoverable after Three Years.

XIX. And be it enacted, That no Proprietor of an entailed Estate in *Scotland* shall be held to have contravened the Conditions of the Entail by reason of having availed himself of the Provisions of this Act, and no Rent-charge imposed or created on any entailed Lands in *Scotland* under the Authority of this Act shall be made use of as a Ground for adjudging, selling, or evicting such Lands or any Part thereof, contrary to the Provisions and Conditions of the Entail, but every such Rent-charge shall be a good and effectual Charge upon and against such entailed Lands to every other Effects, and upon and against the Rents and Profits thereof.

Advances under this Act not to be deemed a Contravention of Conditions of Entail of Lands in *Scotland*.

XX. And be it enacted, That the Rent-charge by virtue of this Act to be charged on any Land shall not be deemed such an Incumbrance as shall preclude a Trustee of Money held in trust, and with a Power for the Investment thereof in the Purchase of Land or on Mortgage, from investing the same in a Purchase of or upon a Mortgage of such Land so charged, unless the Terms of such Trust or Power shall expressly provide that the Land to be so purchased or taken in Mortgage shall

Rent-charge not to preclude Trustees from investing Money in the Purchase or Mortgage of Land charged.

shall not be subject to any Rent-charge under the Provisions of this Act.

Rent
charges to
be kept
down by
Tenants for
Life, &c.

XXI. And be it enacted, That as between the several Parties interested in any Land charged with a Rent-charge under this Act such Parties shall respectively be bound to keep down and discharge the Payments thereof as if the same were Interest payable upon a Mortgage in Fee on such Lands.

Certain
Expenses
to be in-
cluded in
Drainage
Works.

XXII. And be it enacted, That the Expenses in the secondly above-recited Act particularly mentioned as to be included among the Expenses of Works of Drainage shall, as well as to Lands in *Ireland* as to Lands in *Great Britain*, be deemed to be and may be included among the Expenses of Works of Drainage in respect of a Loan or Advance made under the Provisions of this Act.

As to In-
spection of
Works by
Officers of
Commis-
sioners.

XXIII. And be it enacted, That the Commissioners shall as they see Occasion cause the said Works to be inspected by a Commissioner, Assistant Commissioner, Surveyor, or Engineer, or other Officer, to ascertain the due Execution of such Works, and such Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively may require the Production of such Vouchers, Bills of Account, or other Documents as may enable him to ascertain such due Execution, and the Amount of the Expense which shall have been actually incurred in the Execution of such Works.

Payment
of Cost of
Drainage
Works and
Expenses
of Commis-
sioners
and their
Officers.

XXIV. And be it enacted, That, with the Exception of Cases where the Owner of Land shall himself advance Money, and the Expenses shall be paid thereout, for which Provision is herein-before made, all Monies which shall be payable on account of the Works to be executed under this Act, and all Expenses to be incurred by the said Commissioners or their Officers of or incident to the Application in pursuance whereof such Monies shall have been authorized to be raised, or any Proceedings taken or Works done in consequence thereof, shall be paid by means of Cheques, to be from Time to Time drawn by the said Commissioners on the Bank wherein the Monies advanced on account of such Works shall have been deposited, and be paid out of such Monies: Provided always, that no such Payment shall be made unless the said Commissioners shall be satisfied that such Works, or any Part thereof which will, independently of the Part remaining unexecuted, be complete in itself, will be durable and effectual, and produce an Improvement in the yearly Value of the Land exceeding the Amount of the yearly Charge which will be made under this Act in respect of such Payment.

Applica-
tion of

XXV. And be it enacted, That where it shall appear to the Commissioners

Commissioners that, by reason of the Circumstances of the Land, or the Neglect of the Owner, or otherwise, any proposed Works in respect of which Money shall have been paid into any such Bank as aforesaid and a Rent-charge shall have been granted under this Act, cannot be executed, or that for any other Cause all or Part of such Money will not be applied under the Provisions herein-before contained, such Money, or such Part thereof as last aforesaid, shall be applied, by or under the Direction of the Commissioners, to indemnify against the Rent-charge granted in respect of such Money the Persons liable to pay the same, but so that no Part of such Money be paid to the Owner upon whose Application such Money shall have been advanced, or his Representatives, until all other Persons liable to pay such Rent-charge shall have been indemnified against the same or released therefrom; and for the Purposes of this Provision the Commissioners may invest all or any part of the Money applicable to Indemnity as aforesaid in the Public Funds, and may invest and accumulate the Dividends arising from such Investment, and may out of such Monies, or the Investments thereof, purchase any Government Annuity or Annuities for any Term of Years, and may apply and dispose of such Money, and such Investments, Dividends, and Accumulations, in repurchasing all or any Part of the Rent-charge, or otherwise apply the same to such Indemnity as aforesaid as the Circumstances may require: Provided always, that where Part only of the Money paid into any such Bank as aforesaid has become applicable under the Provisions herein-before contained, but the works in respect of which such Money was so paid have been fully executed, or, Part only of such Works having been executed, the Commissioners are satisfied that such Part thereof will, independently of the Part remaining unexecuted, produce an Improvement in the yearly Value of the Land exceeding the whole Amount of the Rent-charge, and that it will not be expedient to execute the Remainder of such Works, the Part unapplied of such Money shall be applied rateably to indemnify as well the Owner upon whose Application such Money shall have been advanced as all the other Persons liable to pay the Rent-charge.

XXVI. And be it enacted, That the Provisions of the said first-recited Act as to upholding Drains, and keeping clean and open the Outfalls of Drains, shall be deemed to be incorporated in this Act, and shall apply to the Drains and Outfalls to be made under the Provisions herein contained.

XXVII. And be it enacted, That it shall be lawful for the Commissioners and they are hereby required to keep a Register of all Certificates of Allowances of Applications or other Certificates

Money paid into the Bank where the Works are not executed, or there is a Surplus not applicable to Works.

As to upholding Drains and Outfalls.

Register of Certificates, Grants,

&c. to be kept by Commissioners.

Certificates which they shall issue under this Act, and of all Grants of and Orders for Apportionment of Rent-charges; and the said Register may be perused at all reasonable Times by any Person interested in the Land charged by any such Grant, or to which any such Certificate or Order of Apportionment shall relate.

Notices may be given by the Secretary.

XXVIII. And be it enacted, That all Notices by the said recited Acts or this Act directed or authorized to be given by the Commissioners may be given by the Secretary of the Commissioners, or any Person authorized in that Behalf by the Commissioners.

Description of Land in any Certificate, Grant, or Order may be by Reference.

XXIX. And be it enacted, That where a description of Land by Reference to any former or other Document, whether issued in pursuance of this Act or not, shall be considered by the Commissioners to be otherwise sufficient for the Purposes of any Certificate, Grant, or Order to be issued under this Act, it shall not be necessary for the Purposes of Registration or for any other Purpose that the Land to be affected by any such Certificate, Grant, or Order shall be specified or described therein otherwise than by Reference to some such former or other Document as aforesaid.

Rent-charge under 9 & 10 Vict. c. 101. may be redeemed by Owner as Personal Estate.

XXX. And for the Amendment of the said first-recited Act, be it enacted, That in every Case in which any Owner of Land charged with a Rent-charge under the Provisions thereof shall redeem such Rent-charge in manner therein-provided, it shall be lawful for the Commissioners, by the Certificate of such Redemption, to declare that the annual Rent-charge shall continue a Charge upon such Land for the Remainder of the Term for which the same was created, and shall be payable to the said Owner of such Land, his Executors, Administrators, or Assigns, and the same shall thereupon so continue to be a Charge, and be transmissible as Personal Estate.

Certificate of Advance under recited Acts may comprise only such Part of Lands in Provisional Certificate as Commissioners think sufficient.

XXXI. And whereas Doubt having been entertained under the said recited Acts whether all the Lands specified or comprised in the Provisional Certificate issued under the said Acts must not be comprised in the Certificate of Advance, or in each and every or some or One of the Certificates of Advance where more than One is issued under the same Acts in respect of the Works referred to in the same Provisional Certificate: Now be it enacted and declared, That it shall be necessary to include in the Certificate or respective Certificates for Advance to be issued under the said Acts in respect of the Works referred to in any Provisional Certificate, such Part or Parts only of the Lands specified or comprised in such Provisional Certificate as the said Commissioners shall consider proper and sufficient to be comprised in such Certificates of Advance or respective

respective Certificates of Advance, and the Provisions of the said thirdly-recited Act as to Description by reference shall, as far as Circumstances will admit, apply to the Land actually comprised in any such Certificate of Advance, as effectually as if the same had comprised the whole of the Lands specified or comprised in the Provisional Certificate.

XXXII. And be it enacted, That in the Interpretation of this Act the Words “the Commissioners” or “the said Commissioners” shall, as regards Lands in *Great Britain*, mean the Inclosure Commissioners for *England* and *Wales*, and as regards Lands in *Ireland*, the said Commissioners of Public Works in *Ireland*; the Words ‘Owner of Lands’ shall, as to Land in *England* or *Wales*, have the same Meaning for the Purposes of this Act as is given to the Words ‘Owner of Lands’ in the said Act of the Seventh Year of King *William* the Fourth for the Commutation of Tithes in *England* and *Wales*, for the Purposes of such Act; and the Words ‘Owner of Land’ shall, as to Land in *Scotland*, mean or include every Fiar, Liferenter, Heir of Entail, Husband of a married Woman seised in her own Right, Tutor, Curator, and other Guardian for any Infant, Minor, Lunatic, or Idiot, fatuous or furious Person, and every Trustee who respectively shall be in the actual Possession of the Land or in Receipt of the Rents payable on the Tacks, Leases, or Tenancies of the Tenants in the actual Possession thereof, and shall include any Corporation; and the Words ‘Owner of Land’ shall, as to Lands in *Ireland*, mean and include such Person as under the said Act passed in the First and Second Years of the Reign of Her present Majesty, intituled ‘An Act to abolish ‘Compositions for Tithes in *Ireland*, and to substitute Rent-charges in lieu thereof,’ shall have the first Estate of Inheritance or other Estate or Interest equivalent to a perpetual Estate or Interest therein; and also any Tenant in Dower or by the Curtesy, or any Person having under the Limitations of any Settlement by Deed, Will, Act of Parliament, or otherwise, any Estate for Life or other Particular Estate thereby created or limited out of or in any Estate of Inheritance, or out of or in any such Estate or Interest as by or under the said last-mentioned Act is to be deemed equivalent to a perpetual Estate or Interest, and also a Husband of a married Woman seised in her own Right, and the Guardian of any Infant, or Committee of any Idiot or Lunatic, and any Trustee or Trustees in the actual Possession or in the Receipt of the Rents as to any such Estates or Interests as last aforesaid, and shall include a Corporation; and the Word ‘Person’ shall mean and include any Body Corporate, Aggregate,

Interpre-
tation of
Terms.
1 & 2 Vict.
c. 109.

gregate, or Sole, as well as an Individual; and any Word importing the Singular Number only shall also mean and include the Plural Number, and any Word importing the Masculine Gender shall also import the Feminine Gender.

Short Title. XXXIII. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression 'The Private Money Drainage Act, 1849.'

Act may be amended, &c. XXXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. CI.

An Act to amend the Act for the more easy Recovery of Small Debts and Demands in England, and to abolish certain Inferior Courts of Record.—[1st August 1849.]

CAP. CII.

An Act to authorize the Sale of the Royal Pavilion at Brighton, and the Grounds thereof; and to apply the Money arising from such Sale.—[1st August 1849.]

CAP. CIII.

An Act to continue an Act of the last Session of Parliament, for charging the Maintenance of certain Poor Persons in Unions upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor.—[1st August 1849.] (England & Wales.)

CAP. CIV.

An Act to amend the Acts for the more effectual Relief of the destitute Poor in Ireland.—[1st August 1849.]

CAP. CV.

CAP. CV.

An Act for converting the renewable Leasehold Tenure of Lands in Ireland into a Tenure in Fee.—[1st August 1849.]

CAP. CVI.

An Act to amend and consolidate the Laws relating to Bankrupts.—[1st August 1849.]

§ III. And be it enacted, that this Act shall not extend to *Scotland* or *Ireland*, except where otherwise expressly provided.

§ CXI. That if in the Execution of any such Warrant of Seizure granted by the Court it shall be necessary to break open any House, Chamber, Shop, Warehouse, Door, Trunk, or Chest of the Bankrupt in *Scotland*, where any of the Property of such Bankrupt shall be reputed to be, or to seize and get possession of such Property, such Warrant, after having been verified upon Oath, may be backed or endorsed by any Judge Ordinary or Justice of the Peace in *Scotland*, who are hereby required, within their respective Jurisdictions, to back or endorse the same; and such Warrant so endorsed shall be sufficient Authority to the Messenger or his Assistant bringing such Warrant, and to all Officers of the Law in *Scotland*, to execute the same within the County or Burgh wherein it is so endorsed, and in virtue thereof to break open the House, Chamber, Shop, Warehouse, Door, Trunk, or Chest of such Bankrupt, and to seize and take possession of such Property, to be distributed under the Bankruptcy, or otherwise dealt with according to Law.

CAP. CVII.

An Act for the Amendment of the Law of Bankruptcy in Ireland.—[1st August 1849.]

CAP. CVIII.

CAP. CVIII.

An Act to amend the Joint Stock Companies Winding-up Act, 1848.—[1st August 1849.]

Master
may order
the Ex-
amination
of Persons
in Scot-
land,
whether
Contribu-
tories to
the Com-
pany or
not, as to
the Estate,
Dealings,
&c., of or
with such
Company.

§ XXI. And be it enacted, That it shall be lawful for the Master, by any Order under his Hand, to direct the Examination in *Scotland* of any Person within *Scotland*, whether a Contributory of the Company or not, in regard to the Estate, Dealings, or Affairs of such Company, or in regard to the Estate, Dealings, or Affairs of any Person, being a Contributory of the Company, so far as the Company may be interested therein in respect of his being such Contributory; and such Order shall be directed to the Sheriff of the County in which the Person to be examined shall reside or be for the Time; and the Sheriff shall summon such Person to appear before him at such Time and Place as shall be specified in the Summons, for Examination upon Oath as a Witness or as a Haver, and to produce the Books, Papers, Deeds, or Documents called for which may be in his Possession or Power, and the Sheriff may take such Examination either orally or upon written Interrogatories, and shall report the same in Writing in the usual Form to the Master, and shall transmit with such Report the Books, Papers, Deeds, or Documents produced, if the Originals thereof shall be required and specified by the Order, or otherwise such Copies thereof or Extracts therefrom authenticated by the Sheriff as shall be necessary; and in case any Person so summoned shall fail to appear at the Time and Place specified, or appearing shall refuse to be examined or to make the Production required, the Sheriff shall proceed against such Person as a Witness or Haver duly cited and failing to appear, or refusing to give Evidence or make Production, may be proceeded against by the Law of *Scotland*; and the Sheriff shall be entitled to such and the like Fees, and the Witness shall be entitled to such and the like Allowances, as Sheriffs when acting as Commissioners under Appointment from the Court of Session, and as Witnesses and Havers, are entitled to, in the like Cases, according to the Law and Practice of *Scotland*: Provided always, that if any Objection shall be stated to the Sheriff by the Witness, either on the Ground of his Incompetency as a Witness, or as to the Production required to be made, or on any other Ground whatever, it shall be competent for the Sheriff, if he shall think fit, to report such Objections to the Master, and to suspend the Examination of such Witness until such Objection shall be disposed of by the Master.

CAP. CIX.

An Act to amend an Act to regulate certain Offices in the Petty Bag in the High Court of Chancery, the Practice of the Common-Law Side of that Court, and the Enrolment Office of the said Court.—[1st August 1849.]

CAP. CX.

An Act for suspending until the First Day of June One thousand eight hundred and fifty the Operation of an Act passed this Session, intituled An Act for granting Relief against Defects in Leases made under Powers of Leasing in certain Cases.—[1st August 1849.]

CAP. CXI.

An Act to amend the Nuisances Removal and Diseases Prevention Act, 1848.—[1st August 1849.]

WHEREAS it is expedient that the Nuisances Removal and Diseases Prevention Act, 1848, should be amended, and that the Powers of the General Board of Health in relation to certain of the Purposes of that Act should be extended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall be deemed to be Part of the Nuisances Removal and Diseases Prevention Act, 1848, and shall be construed accordingly.

II. And be it enacted, That it shall be lawful for the General Board of Health, or any Two of the Members thereof, from Time to Time as such Board shall see Occasion, to require, by Summons under the Seal of the said Board, or if by Two only of the Members of such Board, then under the Hands of such Two Members and the Seal of the said Board, (according to the Form in the Schedule annexed to this Act, or as near thereto as the Case will permit,) any Person to appear before such Board to testify on Oath the Truth touching any Matters respecting which the said Board are now or may hereafter be authorized to inquire (which Oath any Member of the said Board is hereby empowered to administer); and every Person who,

11 & 12
Vict. c.123.

This Act to be construed with Nuisances Removal and Diseases Prevention Act, 1848, as One Act.

Power to summon Witnesses, &c. in certain Cases.

who, after Tender of reasonable Expenses in that Behalf, shall not appear pursuant to such Summons, or shall not assign some reasonable Excuse for not so appearing, or refusing to be sworn or examined, shall, upon being convicted thereof before One of Her Majesty's Justices of the Peace or the Sheriff for the County or Place at and within which such Person shall have been by such Summons required to appear and give Evidence shall be situate, for every such Neglect or Refusal forfeit a Sum not exceeding Twenty Pounds.

Secretary of Board of Health may institute and carry on Prosecution for Violation or Neglect of Regulations.

III. And be it enacted, That the Secretary of the General Board of Health may, on the Order of the said Board, sealed with the Seal of such Board, and signed by any Two Members thereof, prosecute any Person for wilful Violation or Neglect of any Direction or Regulation issued by such Board under the Nuisances Removal and Diseases Prevention Act, 1848; and all Penalties sued for and recovered by such Secretary shall, notwithstanding anything contained in the last-mentioned Act, be paid to him, and be applied in defraying the Costs and Expenses incurred by him in such Prosecutions, and the Balance (if any) shall be applied in such Manner as the Lords Commissioners of Her Majesty's Treasury shall direct; and if the Penalties so recovered shall be insufficient to defray such Costs and Expenses, the Deficiency shall be defrayed out of any Monies which may be from Time to Time provided by Parliament for that Purpose.

Guardians of the Poor, &c. may direct Prosecutions in certain Cases.

IV. And be it enacted, That the Guardians, Directors, Wardens, Governors, or Overseers of the Poor, or Parochial Board, or other like Officers having the Management of the Poor, or acting under the Authority of any Local Act of Parliament for the paving, cleansing, drainage, or lighting any Town or Parish, may from Time to Time direct any Prosecutions or legal Proceedings for or in respect of the wilful Violation or Neglect of any Direction or Regulation issued by the General Board of Health, or in *Ireland* Commissioners of Health, under the Nuisances Removal and Diseases Prevention Act, 1848, and may defray the Expenses of such Prosecutions or Proceedings out of the Funds in their Hands applicable to the Relief of the Poor.

Ex-officio Guardians may act as Justices.

V. And be it enacted, That Justices of the Peace being *ex-officio* Guardians of the Poor may in all Cases, notwithstanding their holding the Office of Guardian, exercise in Petty Session the Jurisdiction vested in them as Justices of the Peace under the Nuisances Removal and Diseases Prevention Act, 1848.

Guardians of the Poor, &c. may

VI. And be it enacted, That Guardians, Directors, Wardens, Governors, Overseers, or Parochial Board, or other like Officers having

having the Management of the Poor, or acting under such Authority as aforesaid, upon the Receipt of a Certificate of any Medical or Relieving Officer of the Union or Parish for which any such Guardians, Directors, Governors, Overseers of the Poor, or Parochial Board, or other Officers, act, stating the Existence of any of the Cause or Causes of Complaint specified in the Sections numbered I. and II. in the Copies of the Nuisances Removal and Diseases Prevention Act, 1848, printed by Her Majesty's Printers, or in *Ireland* upon the Receipt of a like Certificate of any such Medical or Relieving Officer, or of any Two Constables of the Constabulary Force of the District or Place, or of any Two Constables of the *Dublin* Police within the *Dublin* Police District, shall take all such Proceedings as by the said Sections respectively are required to be taken upon the Receipt of a Notice in Writing signed by two Inhabitant Householders, and in the same Manner (as nearly as may be) as if such Notice had been given.

take cer-
tain Pro-
ceedings
upon the
Certificate
of Medical
or Reliev-
ing Officer.

VII. And whereas it is enacted by the Nuisances Removal and Diseases Prevention Act, 1848, that all Costs and Expenses reasonably incurred in carrying into effect certain Provisions therein contained, and not recovered from any Owner or Occupier of the Premises in respect of which such Expenses shall have been incurred, shall upon an Order in Writing, specifying the Sum to be paid, under the Hands and Seals of Two Justices, or in *Scotland* under the Hands of the Sheriff or Magistrate, or Two Justices, be retained, paid, or defrayed by the Treasurer of the Guardians of the Poor, or Parochial Board, or by the Overseers of the Poor or other proper Officers, out of the Funds in their Hands applicable to the Relief of the Poor; and it is expedient that such Costs and Expenses should be retained, paid, and defrayed in certain Cases without an Order of Justices, Sheriff, or Magistrates: Be it therefore enacted, That whenever any such Costs and Expenses shall have been or shall be reasonably incurred by any Guardians, Directors, Wardens, Governors, Overseers of the Poor, or Parochial Board, or other like Officers having the Management of the Poor, and the same shall not have been recovered from the Owner or Occupier of the Premises in respect of which such Costs and Expenses shall have been incurred, such Costs and Expenses may, where an Order shall have been made by the Justices for the Removal or Abatement of the Nuisance, or in any Case where the Amount shall not exceed Twenty Shillings, be retained, paid, and defrayed by the Treasurer of such Guardians, or by such Directors, Wardens, Governors, Overseers, or Parochial Board, or other like Officers (as the Case may be) out of the Funds in their Hands

Guardians
of the
Poor, &c.
may defray
certain
Expenses
without an
Order of
Justices,
Sheriff, or
Magis-
trates.

Hands applicable to the Relief of the Poor, without the Order of any Justice or Justices of the Peace, anything in the said Act to the contrary notwithstanding, and be charged as in the said Act directed.

Guardians
of Unions
or Paro-
chial
Boards
may
charge Ex-
penses of
removing
Nuisances
on Parish,
&c. where
Premises
situated.

VIII. And be it enacted, That where the Guardians of a Union, or Parochial Board, shall, in the Execution of any Order or Regulation of the Board of Health issued under the Authority of the said herein-before mentioned Act, expend any Money in the Removal or Abatement of a Nuisance from any private Premises or Land, or from any public Place, they may, if they think fit, charge the same, where the Expenses do not exceed Twenty Shillings, to the Parish or Place or Electoral Division in the Union or Combination wherein the Premises shall be situated in respect whereof such Expenses shall have been incurred, and where they exceed Twenty Shillings, and the Guardians or the Majority of the Guardians if more than two Guardians of such Parish, Electoral Division, or Place, object in Writing to the said Expenses being so charged, then only upon an Order in Writing under the Hands and Seals of Two Justices, or in *Scotland* under the Hands of the Sheriff or Magistrates, or Two Justices, who are hereby required to make such Order, upon Application on behalf of such Guardians.

General
Board of
Health
may cause
Inquiry to
be made
into State
of Burial
Grounds,
and may
direct
Measures
of Precau-
tion.

IX. And be it enacted, That it shall be lawful in *England* or *Wales* for the General Board of Health, and in *Ireland* for the Commissioners of Health, to cause Inquiry to be made by a Superintending Inspector, or by such other Ways and Means as the General Board of Health or such Commissioners may deem fit to direct, into the State of the Burial Grounds in any Part of *England* or *Wales* excepted from the Powers of the Public Health Act, 1848, or in any populous City, Town, or Place in *England* or *Wales* to which for the Time being the said Act has not been applied, or in any populous City, Town, or Place in *Ireland*; and if it appear to the General Board of Health or the said Commissioners that any such Burial Ground is in such a State as to be dangerous to the Health of the Persons living in the Neighbourhood thereof, it shall be lawful for the said General Board of Health in *England* and *Wales*, under the Seal of the said Board, and under the Hands of Two or more Members thereof, and the said Commissioners of Health in *Ireland*, under the Hands of Two or more of them, to issue such Orders as the said Board or Commissioners respectively may think fit for the Application of such disinfecting Substances, and for the Adoption of such other Measures of Precaution in relation to the Premises, as may, in the Opinion of the said Board or Commissioners of Health, tend
to

to lessen or remove the Danger to Health; and the Churchwardens and other Persons having the Care and Control of the Burial Grounds to which such Orders shall relate shall do all such Works and Matters in relation thereto as by such Orders may be directed, and all Expenses incurred in the Execution of such Orders shall be defrayed out of the Poor Rates of the Parish: Provided always, that no such Order as aforesaid shall be made after the End of the next Session of Parliament.

X. And be it enacted, That where it appears to the General Board of Health, or the Commissioners of Health in *Ireland*, that the Churchyard or other Burial Ground of any Parish is dangerous to Health as aforesaid, and that temporary Provision for Interment elsewhere is urgently required, the Churchwardens of such Parish, with the Consent of the Bishop of the Diocese and the Approval of such General Board of Health, or Commissioners of Health in *Ireland*, shall, if possible, either agree with any Cemetery Company for the Burial in the Ground of such Company of the Bodies of Persons having Right of Burial in the Churchyard or other Burial Ground of such Parish, or agree for the Burial of such Bodies in the Churchyard or Burial Ground of any other Parish of which the Minister and Churchwardens may consent thereto, and make all proper Arrangements in relation to such Burial: Provided always, that where any such Agreement as aforesaid shall be proposed to be made by the Churchwardens of any Parish, such Churchwardens shall submit such proposed Agreement to a Meeting of the Vestry, or Persons having the Powers of Vestry, in such Parish, and if the Majority of Persons assembled at such Meeting shall disapprove such Agreement the Churchwardens shall not proceed therewith; and the Expenses incurred by such Churchwardens in relation to such Agreement, and in carrying the same into effect, shall be paid out of the Poor Rates of their Parish: Provided also, that no such Agreement as aforesaid shall be made after the End of the next Session of Parliament.

Where Churchyard is dangerous to Health, Churchwardens may agree for the Burial of Parishioners in the Ground of any Cemetery Company or in the Burial Ground of any other Parish.

XI. And be it enacted, That where upon any such Inquiry as aforesaid it appears to the General Board of Health that the State of the Burial Grounds in any Parish, or in any Parishes which may be conveniently united for the Purposes herein-after mentioned, and the Circumstances of such Parish or Parishes render it expedient for the Protection of the Public Health that Interments should be prohibited in such Parish or Parishes except as after mentioned, and that a Burial Ground or Burial Grounds should be provided for such Parish, or for the common Use of such Parishes, the General Board of Health may direct a Superintending Inspector to make Inquiry, in the Manner directed

General Board of Health may direct Inquiries, where it may be expedient to prohibit Interment.

directed by the Public Health Act, 1848, or as near thereto as Circumstances will permit, into all the Circumstances connected with the Parochial and other Burial Grounds of such Parish or Parishes, and as to the Place or Places in which any Burial Ground or Burial Grounds might be provided, either within or beyond the Limits of such Parish or Parishes, and as to the Means which might be provided for the Conveyance of Bodies for Interment, and any other Arrangements which might be practicable for facilitating the convenient Interment of Bodies in the Burial Ground or Burial Grounds to be so provided, and as to the Rights in any Burial Ground in such Parish or Parishes, not being a Parochial Burial Ground, which might be affected by the Prohibition of Interments in such Parish or Parishes, and as to the Proportions in which several Parishes (if more than One) should contribute to the Expense of providing and maintaining a common Burial Ground or common Burial Grounds for such Parishes, and into such other Matters as the General Board of Health may think necessary for the Purpose of enabling them to judge of the Propriety of framing a Scheme to be submitted to Parliament as herein-after mentioned, and of the Provisions which should be inserted therein; and such superintending Inspector shall report in Writing, in such Manner as the General Board of Health shall direct, the Result of his Inquiries in relation to the Premises.

Upon Report, Board of Health may frame a Scheme for providing new Burial Grounds.

XII. And be it enacted, That upon the Presentation of such Report the General Board of Health shall cause a Copy thereof to be transmitted to the Bishop of the Diocese, and Copies thereof to be published, in such Manner as they may direct, in the Parish or Parishes to which such Report relates, and to be deposited with the Minister and with the Churchwardens of such Parish or each of such Parishes; and the General Board of Health shall receive all such Statements in relation to the Matter of such Report as shall be delivered within a Time to be limited by the said Board in this Behalf, and may, where they think fit, cause further Inquiry to be made in relation to the Matter of such Report; and if, after such Inquiry and Report, or further Inquiry as aforesaid, it appear to the said Board expedient so to do, they may frame a Scheme in which shall be set forth such Provisions as to the said Board under the Circumstances of each Case may appear proper for providing a Burial Ground or Burial Grounds for such Parish or Parishes as aforesaid, either within such Parish or any of such Parishes, or beyond the Limits thereof, as the Case may appear to require, to be in Law the Burial Ground for the Parish or for each of the Parishes for the common Use of which the same is or are provided, and for the Maintenance
and

and Due Management and Control of such Burial Ground or Burial Grounds; for securing to the Ministers and others having Rights in respect of Burials in the Burial Grounds in which Interment is to be prohibited Compensation by like Rights in respect of Burials in the Burial Ground or Burial Grounds proposed to be provided or otherwise, and for providing and securing Rights in such Burial Ground or Burial Grounds in substitution for other Rights (which in the Opinion of the Board may require to be Compensated) in Grounds in which Interment is to be prohibited; for the Election or Appointment of Persons to enter into Contracts for providing such Burial Ground or Burial Grounds, and to maintain and manage the same; for facilitating the Conveyance of the Bodies of the Dead from the Place of Death to such Burial Ground or Burial Grounds; for determining the Proportions in which the Expense of providing, maintaining, and managing such Burial Ground or Burial Grounds, where the same is or are provided for the common Use of any Parishes, shall be defrayed by such Parishes respectively; for prohibiting, after such Burial Ground or Burial Grounds shall be provided, Interment in such Parish or Parishes, except in such Cases as it may appear to the said Board may be specified and excepted; and generally for and concerning all Matters in relation to such Burial Ground or Burial Grounds as aforesaid, and the Arrangements consequent upon the Prohibition of Interments as aforesaid: Provided always, that all Provisions which shall be set forth in such Scheme concerning the Consecration of the Burial Ground or Burial Grounds to be provided, and concerning the Burial of Members of the United Church of *England and Ireland*, and the Compensation to be provided for Rights in respect of Burials and other Rights of Ministers of the said United Church which may be affected by the Prohibition of Interment in Parochial and other Burial Grounds, be approved by the Bishop of the Diocese; provided also, that such Scheme, with the Reports of the Superintending Inspectors in relation to the Matters thereof, shall be presented to both Houses of Parliament forthwith after the framing thereof, or, if Parliament be not then sitting, within Fourteen Days after the next Meeting thereof.

XIII. And be it enacted, That in citing this Act in any Act of Parliament, Deed, Instrument, or other Proceeding, it shall be sufficient to use the Words "The Nuisances Removal and Diseases Prevention Amendment Act, 1849."

XIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed this present Session of Parliament.

Short Title
of this Act.

Act may be
amended,
&c.

SCHEDULE

SCHEDULE to which this Act refers.

FORM OF SUMMONS.

WE, the General Board of Health, [*or* We, whose Names are hereunto set, being Two of the Members of the Board of Health,] do hereby summon and require you personally to appear before the General Board of Health, at in the Parish of in the County of on next the Day of at the Hour of in the noon of the same Day, and then and there to be examined, and to testify the Truth touching certain Matters with respect to which the Board is authorized to inquire.

Sealed with the Seal of the General Board of Health, [*or* Given under our Hands and Seals, and the Seal of the General Board of Health,] this Day of in the Year of our Lord One thousand eight hundred and

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED,

Passed in the SECOND Session of the FIFTEENTH Parliament of the United Kingdom of *Great Britain and Ireland*.

12° & 13° VICT.

- i. **A**N Act to enable the *Blackburn Waterworks Company* to raise a further Sum of Money; and to amend the Act relating thereto.
- ii. An Act for enabling the *Sunderland Water Company* to raise a further Sum of Money, and for amending and enlarging the Provisions of the Act relating to such Company.
- iii. An Act for supplying the District of *Brierley Hill* in the Parish of *Kingswinford* in the County of *Stafford* with Gas.
- iv. An Act for more effectually repairing and maintaining certain Roads in the Counties of *Roxburgh* and *Berwick*.
- v. An Act to authorise the *Warrington Waterworks Company* to raise a further Sum of Money.
- vi. An Act for better establishing and maintaining the Market Place and Markets at *Longton*, heretofore called *Lane End*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*.
- vii. An Act for improving the Drainage of *Feltwell* Second District in the County of *Norfolk*, and for amending the Acts relating to the same.
- viii. An Act for lighting with Gas and supplying with Water the Town and Borough of *Darlington* and the suburbs thereof in the County of *Durham*.
- ix. An Act for enabling the *Nottingham Gaslight and Coke Company* to raise a further Sum of Money, and for amending some of the Provisions of the Act relating to such Company.
- x. An Act for more effectually assessing and collecting the Poor Rate and all other Rates and Assessments in the Parish of *Epsom* in the County of *Surrey*, and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto.
- xi. An

- xi. An Act for making and maintaining Docks near to *Wareham* in the County of *Dorset*, with an Entrance thereto from *Wareham Channel*.
- xii. An Act for better assessing the Poor Rates on small Tenements in certain Parishes and Places within the Union of *Kidderminster*.
- xiii. An Act for the Dissolution of the *Argyll Canal Company*, and for the Abandonment of their Undertaking.
- xiv. An Act to amend an Act for the better regulating and improving the Port and Harbour of *New Ross* in the Counties of *Wexford* and *Kilkenny*.
- xv. An Act to enable the *Edinburgh and Northern Railway Company* to raise a further Sum of Money.
- xvi. An Act for the Management and Disposal of the Free-men's Pastures in the Parish of *Great Grimsby* in the Parts of *Lindsey* in the County of *Lincoln*; and for other Purposes.
- xvii. An Act for better supplying the Town, Port, and Harbour of *Whitehaven* and other Places with Water.
- xviii. An Act for altering the Mode of assessing the Drainage Rates authorized by the Act for draining and improving *Marshland Smeeth* and *Marshland Fen* in the Country of *Marshland* in the County of *Norfolk*, and to provide for the Repair of Roads within the Limits of the said Act.
- xix. An Act for enabling the *North-western Railway Company* to make an Extension of the *Lancaster Branch* of their Railway, and a new Road to *Settle Station*, and to abandon the *William Lands Branch*; and for other Purposes.
- xx. An Act for authorizing the *Bradford Waterworks Company* to raise a further Sum of Money.
- xxi. An Act for incorporating the *Bury Saint Edmund's Gas Company*, and for better supplying the Town and Borough of *Bury Saint Edmund's* in the County of *Suffolk* with Gas.
- xxii. An Act to incorporate the *Scottish Amicable Life Assurance Society*; to enable the said Society to sue and be sued, and to take and hold Property; and for other Purposes relating to the said Society.
- xxiii. An Act to amend and equalize the Rates and Duties leviable at the Port and Harbour of *Perth* to authorize the borrowing of an additional Sum of Money, and for other Purposes in relation thereto.
- xxiv. An Act to amend an Act of the Twelfth Year of the Reign of King *George the Third*, for embanking, draining, and preserving certain Fen Lands and Low Grounds in the Parish of *Ramsey* in the County of *Huntingdon*, and in the Parishes of *Doddington*, *March*, *Benwick*, *Wimblington*, and *Chatteris*,

Chatteris, within the *Isle of Ely* and County of *Cambridge*, so far as relates to the Lower or Fifth District, and to annex other Lands thereto.

- xxv. An Act for amending an Act passed in the Tenth Year of the Reign of Her present Majesty, for lighting with Gas and supplying with Water the Town of *Hartlepool* and the Neighbourhood thereof in the County of *Durham*.
- xxvi. An Act for better supplying with Water the Borough of *Macclesfield* in the County of *Chester*, and for other Purposes connected with the said Borough.
- xxvii. An Act for enabling the *Leeds and Thirsk* Railway Company to raise a further Sum of Money for the Completion of their Railways, to guarantee Interest on certain Shares, and for other Purposes.
- xxviii. An Act for making a short Railway to connect the Line of the *Reading, Guildford, and Reigate* Railway with the Line of the *London and South-western* Railway; and for other Purposes.
- xxix. An Act to vest the *Stainforth and Keadby* Canal in the Company of Proprietors of the Navigation of the River *Dun*.
- xxx. An Act for enlarging, improving, and maintaining the Harbour of *Kirkcaldy* in the County of *Fife*, for regulating the Petty Customs of the Burgh of *Kirkcaldy*, and for other Purposes relating to the said Harbour and Burgh.
- xxxi. An Act to amend "The *Sunderland* Dock Act, 1846," and for other Purposes.
- xxxii. An Act for defining the Boundaries of the Parishes of *Whittlesey Saint Mary* and *Whittlesey Saint Andrew* in the *Isle of Ely* in the County of *Cambridge* for Ecclesiastical Purposes, for the Union of the said Parishes for other Purposes, and for better paving, lighting, watching, cleansing, and otherwise regulating and improving the Town of *Whittlesey*.
- xxxiii. An Act for extending the Powers of the *London and South-western* Railway Company for purchasing Lands for and completing the Works of the Railways from *Basingstoke* to *Salisbury* and from *Farnham* to *Alton*; and for other Purposes.
- xxxiv. An Act for enabling the *Windsor, Staines, and South-western* (*Richmond* to *Windsor*) Railway Company, to make an Extension of their Railway to the Town of *New Windsor*; and for other Purposes.
- xxxv. An Act for the further Improvement of the Borough of *Ashton-under-Lyne*.
- xxxvi. An Act to extend the Provisions and enlarge the Powers

Powers of the *Staffordshire Potteries Waterworks Act*, 1847.

- xxxvii. An Act for granting further Powers to the *London Gaslight Company*.
- xxxviii. An Act to enable the *Cockermouth and Workington Railway Company* to make a Branch Railway to *Bridgefoot*; and for amending the Act relating to their Railway.
- xxxix. An Act for vesting the *Edinburgh and Glasgow Union Canal* in the *Edinburgh and Glasgow Railway Company*.
- xl. An Act to confer certain Powers on the *Railway Passengers Assurance Company*.
- xli. An Act to enable the *Chester and Holyhead Railway Company* to raise a further Sum of Money; and for other Purposes.
- xl.ii. An Act for making the Parish of *Richmond* in the County of *Surrey* a District Vicarage, by dividing the Vicarage of *Kingston-upon-Thames* and *Sheen* otherwise *Richmond* into Two separate Vicarages, and for providing a Stipend and Residence for the Vicar of *Richmond* aforesaid, and for extinguishing the Vicarial Tithes in the Parish of *Richmond*, and for other Purposes relating to such Vicarages.
- xl.iii. An Act to authorize the *Newcastle-upon-Tyne and Carlisle Railway Company* to alter the *Alston Branch* of their Railway, to make a Branch Railway therefrom, and for other Purposes.
- xl.iv. An Act for consolidating the Trusts of the *Truro Turnpike Roads* and the *Penryn and Redruth Turnpike Roads* in the County of *Cornwall*, and for making a new Turnpike Road from *Bosvigo Bridge* to the Turnpike Road from *Truro* to *Redruth*, and for making the Road or Highway from *Ferris Town* to *Bosvigo Bridge* a Turnpike Road, and for maintaining all such Roads; and for other Purposes.
- xl.v. An Act for amending an Act passed in the Thirty-fifth Year of the Reign of His Majesty King *George the Third*, for dividing and leasing or letting certain Commons or Waste Grounds within the Borough and Township of *Congleton* in the County of *Chester*, and for applying the Profits of Part of the same in aid of the Poor's Rate or other Taxes or public Expenses within the said Township.
- xl.vi. An Act to facilitate the Prosecution of Criminal Offences before Her Majesty's Justices of the Peace in the County of *Renfrew*, and to simplify the Proceedings therein and lessen the Costs thereof.
- xl.vii. An Act to alter and amend an Act passed in the Ninth Year

- Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually amending the Road leading from the Stones End in Blackman Street in the Borough of Southwark in the County of Surrey to Highgate in the County of Sussex, and several other Roads therein mentioned, and for other purposes relating thereto.*
- xlvi. An Act for the Improvement of the Haven, Bridge, and Navigation of *Great Yarmouth* in the County of *Norfolk*.
- xlix. An Act for rendering valid certain Letters Patent granted to *Joshua Procter Westhead* of *Manchester*, Manufacturer.
- l. An Act to alter, amend, extend, and enlarge some of the Provisions of the several Acts relating to the *Lancashire and Yorkshire Railway*, and for making Extensions of some of the Branches of the said Railway, and for making other Provisions in relation to the said Railway and to the *Lancashire and Yorkshire Railway Company*.
- li. An Act for improving the Approaches to the *Charing Cross Bridge* on the *Surrey* Side thereof, and for amending the Acts relating thereto; for authorizing the raising of a further Sum of Money; and for other Purposes.
- lii. An Act for extending the Time and Powers for making the *Ely and Huntingdon Railway*, and for amending the Act relating to the *East Anglian Railways*.
- liii. An Act for the Dissolution of the *East Lothian Central Railway Company*, and for the Abandonment of the Railway.
- liv. An Act to consolidate the several Acts relating to the *Stockton and Darlington Railway Company*, to enable the Company to alter their Line of Railway in the Parishes of *Egglescliffe* and *Stockton-on-Tees*, and to increase their Capital, and to vest in them the *Middlesbrough Dock*.
- lv. An Act to authorize the *Shrewsbury and Chester Railway Company* to make certain Branches to the River *Dee*, with Wharfs and other Conveniences connected therewith, to enter into Agreements for a joint Station at *Shrewsbury*, and to subscribe towards the *Shrewsbury and Hereford Railway*.
- lvi. An Act regulating and maintaining Markets in the Town of *Torquay* in the County of *Devon*, and for constructing convenient Market Places therein.
- lvii. An Act for repairing the Road leading from *Chatteris Ferry* to *Wisbech*, and from thence to *Tid Gote* in the Isle of *Ely* and to *Downham Bridge* in the County of *Norfolk*, and to authorize the Conversion of the *Wisbech and March Low Road* into Turnpike.

lviii. An

- lviii. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to make certain Branches in the Counties of *Northumberland* and *Newcastle-upon-Tyne*; and for other Purposes.
- lix. An Act to alter and amend the Provisions of the several Acts relating to the *Black Sluice* Drainage, to extend the Time by "The *Black Sluice* Drainage Act, 1846," limited for the Completion of the Works, to authorize the levying and raising of further Rates and Monies, to alter existing Rates and Tolls, and for other Purposes.
- lx. An Act for enabling the *York and North Midland* Railway Company to Divert their Railways between *Market Weighton* and *Beverley* and *Copmanthorpe* and *Tadcaster*, all in the County of *York*; and for other Purposes.
- lxi. An Act for making a Branch from the *Taff Vale* Railway to *Dowlais*, and for other Purposes.
- lxii. An Act to amend the Acts relating to the *Irish South-eastern* Railway.
- lxiii. An Act for maintaining, improving, and keeping in repair certain Roads in the County of *Lanark* to be called "The East and West *Lanarkshire* Turnpike Roads."
- lxiv. An Act to extend the present *Tinsley and Doncaster* Turnpike Road from *Tinsley* to *Sheffield*, and for other Purposes.
- lxv. An Act for more effectually managing and repairing the Road leading from *Flinnwell Vent* in the County of *Sussex* to the Town and Port of *Hastings* in the said County.
- lxvi. An Act for continuing the Term of an Act passed in the Third Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for continuing certain Powers to the Trustees of the New North Road, leading from the South End of Highbury Place, Islington, to Haberdashers' Walk in the Parish of Saint Leonard Shoreditch in the County of Middlesex*, and for vesting the Management of the said Road in the Metropolis Roads Commissioners, for the Purpose of paying off the Debt due thereon.
- lxvii. An Act to effect the Sale of the *Wishaw and Coltness* Railway to the *Caledonian* Railway Company.
- lxviii. An Act to continue and amend the Powers of an Act for repairing and improving the Roads from *Dublin*, by *Ashbourne*, to *Slane* and *Drogheda*.
- lxix. An Act for enabling the Dock Company at *Kingston-upon-Hull* to raise a further Sum of Money; and for amending some of the Provisions of the Acts relating to such Company.

- lxx. An Act for better enabling the *Rock* Life Assurance Company to sue and be sued, and to alter certain Provisions of their Deed of Settlement, and to give further Powers to the Company.
- lxxi. An Act to amend the Acts relating to the *East Lancashire* Railway Company, and to enable the same Company to make certain Branches at *Preston*.
- lxxii. An Act to authorize the Transfer of the *Wilsontown, Morningside, and Coltness* Railway to, and to vest the same in, the *Edinburgh and Glasgow* Railway Company.
- lxxiii. An Act to extend the Time for the Purchase of Lands required for the Widening of the *London and Blackwall* Railway, and to amend the Acts relating to such Railway.
- lxxiv. An Act for vesting in the *Lancashire and Yorkshire* Railway Company and the *London and North-western* Railway Company the *Preston and Wyre* Railway, Harbour, and Dock, and all the Works, Property, and Effects belonging thereto.
- lxxv. An Act to transfer the *Sheffield* Canal to the Company of Proprietors of the Navigation of the River *Dun*.
- lxxvi. An Act for more effectually repairing the *Commercial Road*, and other Roads connected therewith, in the Counties of *Middlesex* and *Essex*.
- lxxvii. An Act for confirming and carrying into effect an Arrangement made by the Court of Chancery concerning the Proprietors of the *Bowling* Iron Company, and for granting certain Powers to the said Company.
- lxxviii. An Act for regulating and improving the Markets and Fairs in the Borough of *Louth* in the County of *Lincoln*.
- lxxix. An Act to enable the *Edinburgh and Northern* Railway Company to construct a Low-water Pier and other Works at *Granton*; and for other Purposes.
- lxxx. An Act to incorporate the Governors of the Hospital for Consumption and Diseases of the Chest, and to authorize the Establishment of a Chapel in connexion with the said Hospital, and to enable the said Governors the better to carry on their charitable Designs.
- lxxxi. An Act to consolidate into One Act and to amend the Provisions of the several Railway and Dock Acts relating to the *Manchester, Sheffield, and Lincolnshire* Railway Company, and to amend their Canal Acts.
- lxxxii. An Act to amend and extend the Provisions of certain Acts for inclosing Lands in the Parishes of *Binbrooke Saint Mary* and *Binbrooke Saint Gabriel* in the County of *Lincoln*, and to vary the Awards made thereunder, and to unite the said Parishes.

- lxxxiii. An Act to incorporate the *Great Indian Peninsula* Railway Company, and for other Purposes connected therewith.
- lxxxiv. An Act to amend the Acts relating to the *Great Northern* Railway, and to make a Diversion of such Railway at *Bentley-with-Arksey* in the West Riding of *Yorkshire*, and to enlarge the *Boston, Lincoln, and London* Stations of such Railway.
- lxxxv. An Act to alter and amend some of the Powers and Provisions of the *Shrewsbury and Birmingham* Railway Acts, and to authorize the Formation of certain Branch Railways, a navigable Canal, and other Works connected with the same respectively; and for other Purposes.
- lxxxvi. An Act to authorize a Deviation of the Branch Line of the *Stirling and Dunfermline* Railway to *Alloa* Harbour, and the Diversion of certain Works; to extend the Time for the compulsory Purchase of certain Lands; and for other Purposes.
- lxxxvii. An Act to amend the several Acts relating to the *Lancaster and Preston Junction* Railway Company, and to transfer the Management of the Railway to the *Lancaster and Carlisle* Railway Company.
- lxxxviii. An Act to amend and enlarge the Powers and Provisions of the Acts relating to the *Ardrossan* Harbour and to the *Glasgow, Kilmarnock, and Ardrossan* Railway.
- lxxxix. An Act to amend and extend and partly repeal the Provisions of an Act of Parliament for erecting the Town of *Airdrie* into a Burgh; to provide for the Municipal and Police Government of said Burgh, and for the better paving, watching, lighting, and cleansing, and for regulating the Police, and managing the Statute Labour of the said Burgh; for consolidating the Provisions of other Acts; and for other Purposes relating thereto.
- xc. An Act to effectuate a Lease of the *Glasgow, Barrhead, and Neilston Direct* Railway to the *Caledonian* Railway Company.
- xc. An Act for the Incorporation of the General Land Drainage and Improvement Company, and for facilitating the Execution of Land Drainage and other Improvements.
- xcii. An Act to amend the Acts relating to the *Eastern Union* Railway Company.
- xciii. An Act for incorporating the *East Indian* Railway Company, and for other Purposes connected therewith.
- xciv. An Act to amend an Act passed in the Eleventh Year of the Reign of King *George* the First, for regulating Elections within the City of *London*, and for preserving the Peace, good Order, and Government of the said City.

xcv. An Act to amend the "*Norfolk Estuary Act, 1846,*" and to enable the *Eau Brink* Commissioners and the Corporation of *King's Lynn* to contribute towards the Undertaking, and for other Purposes connected therewith.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. **A**N Act to enable the Trustees of a Society called or known by the Name of "The Society for the Prosecution of Felons and Receivers of Stolen Goods" to distribute the Monies and Funds of the said Society amongst certain charitable Institutions.
2. An Act for authorizing the Sale and Exchange of certain Freehold and Copyhold Lands and Hereditaments forming Part of the Estate of the late *Charles Hayes* Esquire, and for authorizing certain Leases to be granted thereof; and for authorizing the Sale and Exchange of certain Freehold and Copyhold Lands and Hereditaments forming Part of the Estate of the late *John Rutherford Abdy* Esquire, and for enabling the Trustees of this Act to shift the Charges affecting the Inheritance of the last-mentioned Lands and Hereditaments; and for other Purposes.
3. An Act to authorize the granting of Building Leases of the Estates devised by the Will of *Richard Morris Griffith* Gentleman, deceased, called *Caemaeslodig*, situate in the Parish of *Bangor* in the County of *Carnarvon*.
4. An Act for confirming Two several Indentures of Lease, dated respectively the Twenty-sixth Day of *June* One thousand seven hundred and eighty-six, respectively granted by the Dean and Chapter of the Cathedral and Metropolitan Church of *Christ Canterbury* and *Henry Penton* to *Thomas Clutton*, of Hereditaments situate at *Walworth* in the Parish of *Saint Mary Newington* in the County of *Surrey*, and for settling the Boundaries of the Hereditaments thereby intended to be demised.
5. An Act for settling all Questions of disputed Ownership
between

- between the Mayor, Aldermen, and Burgesses of the Borough of *Louth* and the Warden and Six Assistants of the Town of *Louth* and free School of King Edward the Sixth in *Louth*, with reference to the Lands, Tenements, Fairs, Markets, Rents, Tolls, Powers, Rights, Privileges, and Property claimed by them respectively; and for vesting the Fairs and Markets within the said Borough in the Mayor, Aldermen, and Burgesses thereof; and for other Purposes.
6. An Act to authorize the Sale of Part of the Estates devised by *William Lee Antonie* Esquire, deceased, and for applying the Proceeds in Payment of certain Incumbrances, and in Purchase of Hereditaments to be limited to the Uses declared of certain Estates substituted and settled by an Act of the Second and Third Years of the Reign of King *William* the Fourth, intituled *An Act for vesting the Fee Simple of Part of the Freehold Estates devised by the Will of William Lee Antonie Esquire, deceased, in strict Settlement, in his Nephew John Lee Esquire, Doctor of Laws, (subject to a Term of Five hundred Years, as an Indemnification against a Sum of Ten thousand Pounds and Interest,) and for substituting Part of the Fee Simple Estates of the said John Lee in lieu thereof, and also for appointing new Trustees of the said Settled Estates;* and to amend the said Act.
 7. An Act to enable Leases for Mining Purposes to be granted to *Anthony Hill* Esquire of Parts of the Estate situate in the Parish of *Merthyr Tydvil* in the County of *Glamorgan*, devised by the Will of the Right Honourable *Other Archer* Earl of *Plymouth* deceased; and for other Purposes.
 8. An Act to incorporate, by the Name of "The Trustees of the Hospital in *Aberdeen* for Orphan and Destitute Female Children," "The Trustees of the *Aberdeen* Destitute Female Orphan Asylum" acting under a Deed of Constitution granted by the Trustees of *John Gordon* of *Murtle*, Esquire, deceased, and to alter and extend the Powers and Provisions of the said Deed, and to vest the Residue of the Estate and Effects of *John Carnegie* Esquire, deceased, in the Trustees so incorporated.
 9. An Act to enable the Trustees of the Settlement made in pursuance of the Will of *George Granville* late Duke of *Sutherland* to grant or demise for a long Term of Years to the *Staffordshire Potteries* Waterworks Company certain Springs and Reservoirs of Water in Lands in the Parishes of *Caverswall* and *Stone* in the County of *Stafford* comprised in the said Settlement, and certain Waterworks, Rights, and Privileges for supplying with Water the Towns of *Longton* and *Lane End* in the said County, and several Townships

- ships or Places near thereto ; and to enable the said Trustees to take Shares in the said Company, and to advance Money to the said Company on Mortgage ; and for other Purposes.
10. An Act to enable *Marianne Sarah Robertson* of *Ladykirk* to disentail certain detached Portions of the entailed Estate of *Ladykirk*, to be conveyed to *David Robertson* her Husband in lieu of the Lands of *Simprim*, to be added by him to the said Entailed Estate ; to grant Security upon the said Estate for a certain Sum of Money expended in Improvements, and for other Purposes relating thereto.
11. An Act for enabling the Trustees of the Settlement made under Orders of the High Court of Chancery, after the Marriage of *Chaloner Ogle* Esquire and *Eliza Sophia Frances Ogle* his Wife, to grant Building, Improving, and other Leases of certain Estates and Hereditaments situate at *Patcham* in the County of *Sussex*, comprised in the said Settlement.
12. An Act for vesting the *Cole* and *Reynolds* Estates, situate at *Doddington*, *Leverington*, *Guyhurn*, *Broughton*, and *Buckden* in the *Isle of Ely* and Counties of *Cambridge* and *Huntingdon*, in Trustees for Sale.
13. An Act to authorize the Trustees of the Will of the late *Anthony Harman* Esquire to grant Building, Improving, and other Leases of certain Freehold Estates devised by the said Will.
14. An Act for authorizing the Trustees of the late *Thomas Gordon* to sell his Estates of *Cairness* and others in the County of *Aberdeen*, and to apply the Price thereof in Payment of the Debts and Burdens affecting the same ; and for laying out the Residue of the Price in the Purchase of other Lands, to be entailed in Terms of the Trust Deed of Settlement by the said *Thomas Gordon* ; and for other Purposes.
15. An Act to confirm the Title of the Trustees of the Will of *Philip Hurd* Esquire, deceased, to a Copyhold Estate at *Kentish Town* in the County of *Middlesex* ; and to extend the Power to grant Building Leases contained in the said Will ; and to empower the Trustees of the said Will to raise Money for the Improvement of the said Estate ; and for other Purposes.
16. An Act to enable the Trustees of the Will of the late Duke of *Cleveland* to raise certain Monies on the Trust Estates in the County of *Durham* by the said Will devised, and for the Management of the said Estates.
17. An Act for enabling the Trustees of the will of *William Trenchard* Esquire, deceased, to pull down the Mansion or Dwelling

- Dwelling House at *Lytchet Matravers* in the County of *Dorset*, and the Stables, Offices, and Outbuildings belonging thereto, Part of the Estates devised by the said Will, and to rebuild a smaller Mansion, Stabling, and Outbuildings suitable to the same; and to pull down Farm Buildings on the said Estates, and to rebuild the same; and to convert Shrubberies and Pleasure Grounds into Arable and Pasture Lands; and to raise Money for these Purposes by the Sale of Part of the Capital of the Personal Estate of the said *William Trenchard* deceased; and for other Purposes.
18. An Act for vesting the Real Estates devised by the Will of the late Sir *Hugh Bateman* of *Hartington Hall* in the County of *Derby*, Baronet, in Trustees, upon trust to sell a Part thereof, and to lay out the Monies arising from such Sale in Payment of the Mortgage Debts and other Charges and Incumbrances affecting the said Estates, and in Repairs and substantial Improvements upon the said Estates; and for other Purposes.
 19. An Act for the better Administration of the Real and Personal Estates of the Right Honourable *James Lord Glastonbury* deceased.
 20. An Act to remove Doubts relative to the Appointment of Mr *George Bishton* as a Commissioner under the *Puttingham and Patshull Inclosure Act*.
 21. An Act for removing Doubts relative to the Powers of granting Building Leases contained in the Will of the Right Honourable *George Augustus Henry* Earl of *Burlington*, deceased; and for other Purposes.
 22. An Act for supplying the Omission in the Will of the Right Honourable *George Augustus Henry* Earl of *Burlington*, deceased, of Powers of granting Farming and Building Leases of the Estates in the Counties of *York* and *Derby* devised by the same Will; of Powers of selling and exchanging the same Estates; and for other Purposes.
 23. An Act to enable Sir *Thomas Maryon Wilson* Baronet to grant the Site of a Church for "The District of *Saint Thomas Woolwich*," in the County of *Kent*; and for other Purposes.
 24. An Act for authorizing the Sale of certain Parts of the Estates in the County of *Middlesex* devised by the Will of Sir *George Osborn* Baronet, deceased, for the Purpose of discharging the Incumbrances thereon.
 25. An Act to authorize the granting of Building Leases of Parts of the Estates devised by the Will of the late *Henry Blundell* Esquire, situate in the Townships of *Heaton* and *Rumworth*

Rumworth in the County of *Lancaster*, and to lease Coal and other Mines, and to grant Farming Leases for Twenty-one Years of Lands within the said Townships ; and for other Purposes.

26. An Act for the Sale of certain Hereditaments in the Parish of *Barkham* in the County of *Berks* affected by the Settlement made on the Marriage of *Theophilus Clive* Esquire.

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A

COLLECTION

OF THE

PUBLIC GENERAL STATUTES

AFFECTING SCOTLAND,

PASSED IN THE

THIRTEENTH AND FOURTEENTH YEAR

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the THIRD SESSION of the FIFTEENTH PARLIAMENT
of the United Kingdom of *Great Britain* and *Ireland*.

WITH

GENERAL INDEX,

AND TABLES OF ALL THE GENERAL, LOCAL, AND PRIVATE ACTS
PASSED IN THE ABOVE SESSION.



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BY WILLIAM BLACKWOOD AND SONS,

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LONDON, *31st March* 1848.

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THE
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[AFFECTING SCOTLAND.]

ANNO DECIMO TERTIO
VICTORIÆ REGINÆ.

CAP. I.

*An Act to amend an Act of the last Session, for making
Provision for the Collection of County Cess in Ireland,
and for the Remuneration of the Collectors thereof.—*
[22d February 1850.]

CAP. II.

An Act to restrain Party Processions in Ireland.—
[12th March 1850.]

CAP. III.

CAP. III.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty.—[25th March 1850.]

CAP. IV.

An Act for requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in Ireland, to the Lord Lieutenant to be laid before Parliament.—[25th March 1850.]

CAP. V.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.—[25th March 1850.]

CAP. VI.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.—[25th March 1850.]

CAP. VII.

An Act for consolidating the Office of the Registrar of Metropolitan

Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in regard to the Consolidated Offices.
—[25th March 1850.]

CAP. VIII.

An Act to authorize the Inclosure of certain Lands in pursuance of the Fifth Annual General Report of the Inclosure Commissioners for England and Wales, and to confirm the Proceedings in the Matter of the Common Wood Inclosure.—[17th May 1850.]

CAP. IX.

An Act to Repeal the Duties and Drawbacks of Excise on Bricks.—[17th May 1850.]

CAP. X.

An Act for raising the Sum of Nine Millions Two Hundred Thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty.—[17th May 1850.]

CAP. XI.

An Act to make better Provision for the Contributions of Unions and Parishes in School Districts to the Common Funds of the Respective Districts.—[17th May 1850.] (England.)

CAP. XII.

CAP. XII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.—[17th May 1850.]

CAP. XIII.

An Act to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education in Scotland hold Real Property required for such Purposes.—[17th May 1850.]

WHEREAS it is expedient to render more simple and effectual the Titles by which Congregations or Societies associated together for the Purposes of maintaining Religious Worship or promoting Education in *Scotland* may hold the Heritable Property required for such Purposes: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That wherever Heritable Property, consisting of Lands or Houses in *Scotland*, has been or may hereafter be acquired by any Congregation or Society or Body of Men associated for religious Purposes or for the Promotion of Education, as a Chapel, Meeting House, or other Place of Worship, or as a Manse or Dwelling House for the Minister of such Congregation, or Offices, Garden, or Glebe for his Use, or as a School-house, or Schoolmaster's House, Garden, or Playground, or as a College, Academy, or Seminary, or as a Hall or Rooms for the Meetings or Transaction of the Business of such Congregation or Society or Body of Men, and wherever the Charter, Disposition, Conveyance, or Lease of such Heritable

Heritable
Property
conveyed
for re-
ligious or
educa-
tional
Purposes
to vest in
Disponees
or their
Successors.

able Property has been or may be taken in favour of the Minister, Kirk Session, Vestrymen, Deacons, Managers or other Office-bearers or Office-bearer of such Congregation, or Society or Body of Men, or any of them, or of Trustees appointed or to be from Time to Time appointed, or of any Party or Parties named in such Charter, Disposition, Conveyance, or Lease, in trust for behoof of the Congregation or Society or Body of Men, or of the Individuals composing the same, such Charter, Disposition, or Conveyance, when followed by Infeftment duly expedite and recorded in Terms of Law, or such Lease, shall not only vest the Party or Parties named therein in the Lands, Houses, or other Heritable Property thereby feued, conveyed, or leased, but shall also, after the Death or Resignation or Removal from Office of such Party or Parties, or any of them, effectually vest their Successors in Office for the Time being, chosen and appointed in the Manner provided in such Charter, Disposition, Conveyance, or Lease, or if no Mode of Appointment be therein set forth or prescribed, then in Terms of the Rules or Regulations of such Congregation or Society or Body of Men, in such Lands, Houses, or Property, subject to such and the like Trusts, and with and under the same Powers and Provisions, as are contained in the Charter, Disposition, Conveyance, or Lease given and granted to the Parties, Disponees or Lessees therein, and that without any Transference, Assignment, Conveyance, or other Transmission or Renewal of the Investiture whatsoever, anything in such Charter, Disposition, Conveyance, or Lease contained to the contrary notwithstanding.

II. And be it enacted, That where no Agreement shall have been made or shall be made with the Superior of such Heritable Property for a periodical or other Payment in lieu of the Casualty or Composition payable by Law or in Terms of the Investiture upon the Entry of Heirs and singular Successors, or where the Casualty and Composition shall not have been taxed, and where by Law and under the Terms of the Investiture Composition as on the Entry of a singular Successor would be, or but for the Provisions of this Act would have been, payable upon the Entry of any Party or Parties as Successors to the Party or Parties in whose Name the Titles shall have been expedite or recorded as aforesaid, it shall be lawful for such Superior, at the Death of the existing Vassal in such Heritable Property, and at the Expiration of every Period of Twenty-five Years thereafter, so long as such Heritable Property shall belong to or be held for behoof of such Congregation or Society or Body of Men, to demand and take from such Congregation or Society or Body of Men, or other Party or Parties to whom such

Providing
for Pay-
ment in
lieu of
Casualties
of Super-
iority.

Heritable

Heritable Property may have been or shall be feued or conveyed, or by whom the same may be held, for their Behoof, a Sum corresponding to the Casualty or Composition, if any such shall in the Circumstances be due, which would have been payable upon the Entry of a singular Successor therein, and such Payments shall be in full of all Casualties of Entry and Composition payable to the Superior for or furth of such Heritable Property while the same shall remain the Property or be held for behoof of such Congregation or Society or Body of Men, and the Superior shall have all such and the like Preference and Execution for the Recovery of such Sums as Superiors have for the Recovery of Casualties of Superiority according to Law: Provided always, that where such Casualty or Composition shall not have been taxed in the Investiture, and the Heritable Property so feued or conveyed shall not be situated in a Town or Village, or in the immediate Vicinity thereof, the Casualty or Composition payable therefor shall be held to be the annual Rent or annual Value of the Land so feued or conveyed, if let as an agricultural Subject at the Time when such Casualty or Composition shall become due and exigible in virtue of this Act.

Sums invested on Heritable Security for religious, educational, or charitable Purposes to vest in Dispones and their Successors.

III. And be it enacted, That wherever any Sum or Sums of Money shall have been or shall be invested on Heritable Security in *Scotland* for the Behoof of any such Congregation or Society or Body of Men as aforesaid, for the Purposes aforesaid, or for any religious, educational, or charitable Object under their Administration and Management, and the Bond and Disposition in Security or other Deed whereby such Security has been or may be constituted shall have been or shall be taken in favour of any Minister, Kirk Session, Vestrymen, Deacons, Managers, Office-bearers or Office-bearer, or of Trustees as aforesaid, and duly recorded or followed by Infestment (where Infestment shall be necessary) duly expedite and recorded in Terms of Law, such Bond and Disposition in Security or other Deed and Infestment (if any) shall not only effectually vest the Party or Parties therein named in such Bond and Disposition in Security or other Deed, but shall also, after the Death or Resignation or removal from Office of such Party or Parties or any of them, effectually vest their Successors in Office for the Time being chosen and appointed in the manner provided in such Bond and Disposition in Security or other Deed, or if no Mode of Appointment be therein set forth or prescribed, then in Terms of the Rules of such Congregation or Society or Body of Men in such Bond and Disposition in Security or other Deed, and the Sum or Sums of Money therein contained,

tained, subject to the same Trusts, and with and under the same Powers and Provisions, as are contained in the Bond or Disposition in Security or other Deed given and granted to the Parties Disponees therein, and that without any Transference, Assignment, Conveyance, or other Transmission, or Renewal of Investiture whatsoever, anything in such Bond or Disposition in Security or other Deed to the contrary notwithstanding.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

CAP. XIV.

An Act to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make Provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts, in Ireland.—[17th May 1850.]

CAP. XV.

An Act to authorize the Establishment of Courts of Appeal for certain of Her Majesty's West India Colonies.—[31st May 1850.]

CAP. XVI.

An Act to enable the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading.—[31st May 1850.]

CAP. XVII.

An Act to amend an Act of the last Session of Parliament for granting Relief against Defects in Leases made under Powers of Leasing.—[31st May 1850.]
(England.)

CAP. XVIII.

CAP. XVIII.

An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland.—
[31st May 1850.]

CAP. XIX.

An Act to explain and amend an Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland.—[10th June 1850.]

CAP. XX.

An Act to amend an Act of the Fifth and Sixth Years of Her present Majesty, for the Appointment and Payment of Parish Constables.—[10th June 1850.]
(England.)

CAP. XXI.

An Act for Shortening the Language used in Acts of Parliament.—[10th June 1850.]

Acts of
Parlia-
ment may
be altered,
&c. in the
same Ses-
sion.

Acts of
Parlia-
ment to be
divided
into Sec-
tions, with-
out intro-
ductory
Words.

Where
any Act is
referred

BE it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Act to be passed after the Commencement of this Act may be altered, amended, or repealed in the same Session of Parliament, any Law or Usage to the contrary notwithstanding.

II. Be it enacted, That all Acts shall be divided into Sections, if there be more Enactments than One, which Sections shall be deemed to be substantive Enactments, without any introductory Words.

III. Be it enacted, That in any Act, when any former Act is referred to, it shall be sufficient, if such Act was made before

before the Seventh Year of *Henry* the Seventh, to cite the Year of the King's Reign in which it was made, and where there are more Statutes than One in the same Year the Statute, and where there are more Chapters than One the Chapter; and if such Act referred to was made after the Fourth Year of *Henry* the Seventh, to cite the Year of the Reign, and where there are more Statutes or Sessions than One in the same Year the Statute or the Session (as the Case may require), and where there are more Chapters or Sections than One the Chapter or Section or Chapter and Section (as the Case may require), without reciting the Title of such Act, or the Provision of such Section, so referred to; and the Reference in all Cases shall be made according to the Copies of Statutes printed by the Queen's Printer, or to the Copies thereof contained in the Reports of the Commissioners of Public Records: Provided that where it is only intended to amend or repeal any Portion only of such Section it shall be necessary still either to recite such Portion or to set forth the Matter or Thing intended to be amended or repealed.

to it shall be sufficient to cite the Year of the Reign, Chapter, and Section, &c.

IV. Be it enacted, That in all Acts Words importing the Masculine Gender shall be deemed and taken to include Females, and the Singular to include the Plural, and the Plural the Singular, unless the contrary as to Gender or Number is expressly provided; and the Word "Month" to mean Calendar Month, unless Words be added showing Lunar Month to be intended; and "County" shall be held to mean also County of a Town or of a City, unless such extended Meaning is expressly excluded by Words; and the Word "Land" shall include Messuages, Tenements, and Hereditaments, Houses and Buildings, of any Tenure, unless where there are Words to exclude Houses and Buildings, or to restrict the Meaning to Tenements of some particular Tenure; and the Words "Oath," "Swear," and "Affidavit" shall include Affirmation, Declaration, affirming, and declaring, in the Case of Persons by Law allowed to declare or affirm instead of swearing.

Interpretation of certain Words for future Acts.

V. Be it enacted, That where any Act repealing in whole or in part any former Act is itself repealed, such last repeal shall not revive the Act or Provisions before repealed, unless Words be added reviving such Act or Provisions.

Repealed Acts not to be revived in virtue of the Repeal of the repealing Act.

VI. Be it enacted, That wherever any Act shall be made repealing in whole or in part any former Act, and substituting some Provision or Provisions instead of the Provision or Provisions repealed, such Provision or Provisions so repealed shall remain in force until the substituted Provision or Provisions shall come into operation by force of the last made Act.

Repealed Provisions of any Act to remain in force until the substituted Provisions come into force.

Acts to be
deemed
Public
Acts.

VII. Be it enacted, That every Act made after the Commencement of this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such, unless the contrary be expressly provided and declared by such Act.

Com-
mence-
ment of
Act.

VIII. Be it declared and enacted, That this Act shall commence and take effect from and immediately after the Commencement of the next Session of Parliament.

CAP. XXII.

An Act for raising the Sum of Eight Millions five hundred and fifty-eight thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty.—[10th June 1850.]

CAP. XXIII.

An Act to repeal an Exception in an Act of the Twenty-seventh Year of King Henry the Sixth, concerning the Days whereon Fairs and Markets ought not to be kept.—[10th June 1850.] (England.)

CAP. XXIV.

An Act to enable the Commissioners of Greenwich Hospital to improve the said Hospital, and also to enlarge and improve the Billingsgate Dock, and widen Billingsgate Street, in Greenwich; and for other Purposes.—[25th June 1850.]

CAP. XXV.

An Act to enable Queen's Counsel and others, not being of the Degree of the Coif, to act as Judges of Assize.—[25th June 1850.]

CAP. XXVI.

CAP. XXVI.

An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of piratical Ships and Vessels; and to make other Provisions in lieu thereof.—[25th June 1850.]

CAP. XXVII.

An Act to provide for the Commencement of an Act of the present Session, intituled An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels, and to make other Provisions in lieu thereof.—[15th July 1850.]

CAP. XXVIII.

An Act to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Ireland hold Property for such Purposes.—[15th July 1850.]

CAP. XXIX.

An Act to amend the Laws concerning Judgments in Ireland.—[15th July 1850.]

CAP. XXX.

An Act to provide for the Appointment of Sheriff of the County of Westmoreland.—[15th July 1850.]

CAP. XXXI.

CAP. XXXI.

An Act to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances.—[15th July 1850.]

9 & 10
Vict. c.
101.

10 & 11
Vict. c. 11.

11 & 12
Vict. c.
119.

10 & 11
Vict. c. 32.

12 & 13
Vict. c. 59.

12 & 13
Vict. c. 23.

Treasury
may ad-
vance
2,000,000*l.*
for Im-
provement
of Landed
Property in
Great Bri-
tain, and
200,000*l.*
for Ireland.

WHEREAS an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to authorize the Advance of public Money to a limited Amount to promote the Improvement of Land in Great Britain and Ireland by Works of Drainage*, and the said Act was explained and amended by another Act passed in the Tenth Year of Her Majesty; and an Act was passed in the Twelfth Year of Her Majesty, to simplify the Forms of Certificates under the said first-mentioned Act: And whereas an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to facilitate the Improvement of Landed Property in Ireland*; and the said Act was amended by an Act passed in the last Session of Parliament; and an Act was passed in the same Session, “to authorize further Advances of Money for the Improvement of Landed Property, and the Extension and Promotion of Drainage and other Works of public Utility, in *Ireland* :” And whereas it is expedient to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances: Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty’s Treasury to issue and advance or cause to be issued and advanced out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, in addition to the Sums already authorized to be advanced for the Purposes herein-after mentioned, such Sum or Sums of Money, not exceeding in the whole the Sum of Two million Pounds, as may be required for the Purposes of Loans for the Improvement of Landed Property in *Great Britain*, and such Sum or Sums of Money, not exceeding in the whole the Sum of Two hundred thousand Pounds, as may be required for the Purposes of Loans for the Improvement

of

of Landed Property in *Ireland*, or, if the Commissioners of Her Majesty's Treasury so think fit, it shall be lawful for them to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sums of Money not exceeding in the whole the said Sums of Two million Pounds for *Great Britain*, and Two hundred thousand Pounds for *Ireland*, as they shall think fit to direct for the Purposes aforesaid, but provided that the whole Amount of such Advances out of the Consolidated Fund and by Exchequer Bills shall not together exceed the said Sums of Two million Pounds for *Great Britain* and Two hundred thousand Pounds for *Ireland*.

II. And be it enacted, That the Money to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Great Britain* shall be applied for the Purposes and under the Provisions of the said firstly-recited Act, as amended by the said secondly and thirdly recited Acts and this Act, save so far as the same relate to Lands in *Ireland*, and all the Powers, Authorities, Provisions, Matters, and Things contained in the said firstly, secondly, and thirdly recited Acts, and applicable to Loans out of the Money authorized to be advanced for *Great Britain* under the said firstly-recited Act, shall extend to the Loans to be made out of the Money authorized to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Great Britain*.

The Sums to be advanced for *Great Britain* to be applied to Loans under 9 & 10 Vict. c. 101. and the Acts amending the same.

III. And be it enacted, That the Money to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Ireland* shall be applied for the Purposes and under the Provisions of the said Act of the Tenth Year of Her Majesty "to facilitate the Improvement of Landed Property in *Ireland*," as amended by the said firstly-recited Act of the last Session of Parliament and this Act, and all the Powers, Authorities, Provisions, Matters, and Things contained in the said last-mentioned Act of the Tenth Year of Her Majesty, and the said Act amending the same, applicable to the Loans authorized to be made by the said Act for the Improvement of Landed Property in *Ireland*, shall extend to the Loans to be made out of the Money authorized to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Ireland*.

The Money to be advanced for *Ireland* to be applied to Loans under 10 & 11 Vict. c. 32. and the amending Act.

IV. And be it enacted, That where a Provisional Certificate has been or may be issued under the said firstly, secondly, and thirdly recited Acts or any of them, or this Act, and no Advance shall have been made in respect of the Works to which such Provisional Certificate relates, or the whole of the Sum in such Provisional Certificate expressed as the Limit of

Inclosure Commissioners may authorize Application of Advances to

other
Works
than those
mentioned
in Pro-
visional
Certificate.

of the Advance to be made under the same shall not have been issued, it shall be lawful for the Inclosure Commissioners for *England* and *Wales*, where they think fit, upon the Application of the Owner of the Land to which such Provisional Certificate relates, by Order under the Seal of the said Inclosure Commissioners, to authorize the Alteration or Modification of any Works to which such Provisional Certificate relates, or to authorize any other Works in respect of which an Advance might be made under the said Acts or this Act to be executed on the Land to which such Provisional Certificate relates, or on any other Land of the same Owner, in substitution in whole or in part for the Works referred to in such Provisional Certificate, and all Proceedings, Advances, and Acts shall and may be thenceforth had, made, and done upon such Provisional Certificate as varied by such Order, in the same Manner as if the Works altered or modified or substituted under such Order had been originally authorized or referred to in such Provisional Certificate: Provided always, that the said Commissioners shall not authorize the Execution of Works on Land other than that to which the Provisional Certificate relates in substitution as aforesaid for Works mentioned in such Certificate, until the like Notice of the Application shall have been given as is required by the said Acts in the Case of an Application for an Advance; and the Provisions of the said Acts concerning Notice of such last-mentioned Application, and concerning Dissents and Consents, and Proceedings consequent upon Dissent, shall be applicable where Notice is required under this Act.

Loans to
the same
Owner in
Great
Britain re-
stricted to
5,000*l*.

V. And whereas by the said secondly-recited Act it is enacted, that no Provisional Certificate shall be issued upon any Application or Applications by the same Owner for a larger Sum than Ten thousand Pounds: Be it enacted, That the said recited Provision shall, as respects Provisional Certificates to be issued upon Application made after the passing of this Act, be repealed; and no Provisional Certificate shall be issued upon any such Application or Applications by the same Owner for a larger Sum than Five thousand Pounds; or if any previous Provisional Certificate or Certificates have been issued to such Owner in respect of the same or any other Land, or have been issued in respect of the same Land to any previous Owner thereof, no Provisional Certificate shall upon such Application or Applications be issued for any larger Sum than will, with the Sum which has been or may be issued under such previous Certificate or Certificates, make up Five thousand Pounds.

Persons
under Dis-
abilities.

VI. And be it enacted, That when the Owner of any Lands in *England* or *Wales*, or the Person who under the Act of the
Seventh

Seventh Year of King *William* the Fourth, for the Commutation of Tithes in *England* and *Wales*, would be deemed the Owner of any Lands in *England* or *Wales*, shall be a Minor, Idiot, Lunatic, Feme Covert, beyond the Seas, or under any other legal Disability, the Guardian, Trustee, Committee of the Estate, Husband, or Attorney respectively shall be substituted in the Place of such Owner or Person deemed to be Owner for all the Purposes of the said several herein-before recited Acts and of this Act.

VII. And be it enacted, That so much of this Act as amends the said firstly-recited Act shall be construed with such Act and the said secondly and thirdly recited Acts as One Act. Act to be construed with 9 & 10 Vict. c. 101.

VIII. And be it enacted, That out of any Money authorized to be advanced for facilitating the Improvement of Landed Property in *Ireland*, under the said Act of the Tenth Year of Her Majesty, "to facilitate the Improvement of Landed Property in *Ireland*," or the said secondly-recited Act of the last Session of Parliament, or this Act, Loans may be made for the Erection of Farm Buildings; and all the Provisions of the said last-mentioned Act of the Tenth Year of Her Majesty, and the said Act amending the same, shall be construed in like Manner as if the Erection of Farm Buildings had been enumerated in such last-mentioned Act of the Tenth Year of Her Majesty among the Purposes for which Loans might be made under that Act. Loans may be made for the Erection of Farm Buildings in *Ireland*.

IX. And whereas by the said Act "to facilitate the Improvement of Landed Property in *Ireland*" it is provided that all the Works for which any Loan is made under such Act shall be completed within such Period as may, previously to making any such Loan or Advance as therein mentioned, be fixed by the Commissioners of Public Works in *Ireland*, or within such further Period as they may fix from Time to Time, such Periods not exceeding in the whole Three Years from the Date of the First Advance on account of any such Loan: Be it enacted, That so much of the said recited Enactment as requires the said Commissioners to fix a Period for the Completion of any Works within Three Years from the Date of such First Advance shall be repealed; and it shall be lawful for the said Commissioners to fix, for the Completion of any such Works, such Period, and from Time to Time such further Period, within Five Years from the Date of the First Advance on account of any such Loan, as the said Commissioners may think fit. Commissioners may fix a Time for Completion of Works, not exceeding 5 Years from first Advance.

X. And be it enacted, That the Commissioners of Public Works in *Ireland* shall not make any Order for any Loan under the said Act of the Tenth Year of Her Majesty, "to facilitate the Improvement of Landed Property in *Ireland*," the Loans to the same Owner in *Ireland* restricted to 5,000*l*.

the said secondly-recited Act of the last Session of Parliament, and this Act, or any of them, to the same Owner to a larger Amount than Five thousand Pounds; or if any previous Order or Orders have been made under such Acts or any of them for a Loan or Loans to the same Owner in respect of the same or any other Land, or to any previous Owner of the same Land in respect of such Land, the said Commissioners shall not make such Order for a Loan to a larger Amount than will, with the Sum which has been or may be issued under such previous Order or Orders, make up Five thousand Pounds.

Treasury
may ad-
vance
800,000*l.*
for Drain-
age and
Works of
public
Utility in
Ireland.

XI. And whereas it is expedient to authorize the Advance of a further Sum of Money for the Extension and Promotion of Works of Drainage and other Works of public Utility in *Ireland*: Be it therefore enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and advance out of the growing Produce of the said Consolidated Fund, in addition to the Sums already authorized to be advanced for the Purposes herein-after mentioned, such further Sum or Sums of Money, not exceeding in the whole the Sum of Eight hundred thousand Pounds, as may from Time to Time be required for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*; or if the Commissioners of Her Majesty's Treasury so think fit, it shall be lawful for them to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sums of Money not exceeding in the whole the Sum of Eight hundred thousand Pounds, as they shall think fit to direct, for the Purposes last aforesaid; but provided that the whole Amount of such Advances out of the Consolidated Fund and by Exchequer Bills shall not together exceed the said Sum of Eight hundred thousand Pounds; and the Advances to be so made shall be applied for the Purpose of the Loans which the Commissioners of Public Works in *Ireland* may be called upon to make under the Provisions of the Acts now in force, authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*.

Provisions
of existing
Acts ex-
tended to
this Act.
12 & 13
Vict. c. 23.

XII. And be it enacted, That all the Powers, Authorities, Provisions, Matters, and Things, of what Nature or Kind soever, contained in or referred to by the said Act of the last Session of Parliament "to authorize further Advances of Money "for the Improvement of Landed Property, and the Extension "and Promotion of Drainage, and other Works of public "Utility, in *Ireland*," so far as such Act relates to Loans for the Purposes last aforesaid, or in any Act authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*, shall extend to this Act,

Act, and to Loans hereby authorized to be made for those Purposes.

XIII. And be it enacted, That all the Provisions of the said firstly-recited Act applicable to the Exchequer Bills to be made out and issued under that Act shall extend and be applicable to the Exchequer Bills to be made out and issued under this Act.

Provisions
of 9 & 10
Vict. c.
101. to ap-
ply to Ex-
chequer
Bills issued
under this
Act.

XIV. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.

Act may be
amended,
&c.

CAP. XXXII.

An Act for confirming certain Provisional Orders of the General Board of Health.—[15th July 1850.]
(England.)

CAP. XXXIII.

An Act to make more effectual Provision for regulating the Police of Towns and populous Places in Scotland, and for paving, draining, cleansing, lighting, and improving the same.—[15th July 1850.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*: And whereas an Act was passed in the same Session of Parliament, intituled *An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs*: And whereas an Act was passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend an Act to enable Burghs in Scotland to establish a general System of Police, and another Act for providing for the Appointment and Election of Magistrates and Councillors in certain Burghs and Towns of Scotland*: And whereas it is expedient to make more effectual Provision for regulating the Police of Towns and populous Places in *Scotland*, and also for paving, draining, cleansing, lighting, supplying Water to, and otherwise improving the same: Be it enacted by the Queen's most Excellent

3 & 4 W.
4. c. 46.

3 & 4 W.
4 c. 77.

10 & 11
Vict. c. 39.

First and
last recited
Acts re-
pealed ex-
cept where
already
adopted.

cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first and last recited Acts be and the same are hereby repealed, except only as regards such Burghs as have already adopted, in whole or in part, the Powers and Provisions of the said first-recited Act.

Interpre-
tation of
Terms.

II. And be it enacted, That the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say, the Word "Burgh" shall include not only Royal Burgh, Parliamentary Burgh, and Burgh of Regality and Barony, but also any populous Place the Boundaries whereof have been fixed and ascertained in Terms of this Act; the Expression "Parliamentary Burgh" shall mean a Burgh or Town to which Magistrates and Councils were provided by the said second-recited Act; the Expression "Populous Place" shall mean any Town, Village, Place, or Locality, not being a Royal Burgh, or Burgh of Regality or Barony, or Burgh or Town to which Magistrates and Councillors were by the said second-recited Act provided, containing a Population of Twelve hundred Inhabitants or upwards, the Word "Person," and Words applying to any Person or Individual, shall apply to and include Corporations; the Word "Householder" shall mean a Male Occupier of a Dwelling House or other Heritable Subjects of the yearly Value of Ten Pounds or upwards; the Word "Occupier" shall not include a Lodger or a Party in the Occupation as Tenant of a furnished House let for a less Period than One Year, but shall include the Party by whom such furnished House is so let; the Expression "Lodging House" shall mean a House in which Lodgers are housed at an Amount not exceeding Sixpence *per Head per Night*; the Word "County" shall include Stewartry; the Word "Sheriff" shall mean the Sheriff of and acting in the County of which he is Sheriff, and shall include Sheriff Substitute, and also Steward and Steward Substitute; the Expression "the Commissioners" shall mean the Commissioners for the Purposes of this Act acting in and for a Burgh by which this Act has been in whole or in part adopted; the Words "Magistrates," or "Magistrates and Council," when applied to Royal Burghs, shall include the Provost; the Word "Magistrate" (except where used in reference to Proceedings with respect to the Adoption of this Act) shall mean a Magistrate of Police appointed and acting under this Act; the Words "Clerk," "Treasurer," and "Collector" shall mean the Clerk, Treasurer, and Collector respectively appointed by the Commissioners under the Provisions

sions of this Act; the Word "Lands" and the Word "Premises" shall include all Lands, Springs, Rights of Servitude, Dwelling Houses, Shops, Warehouses, Vaults, Cellars, Stables, Breweries, Manufactories, Mills, and other Houses and Buildings, and Yards and Places; the Word "Street" shall extend to and include any Road, Bridge, Lane, Square, Court, Alley, Close, Wynd, Vennel, and Thoroughfare or public Passage; the Word "Month" shall mean Calendar Month; the Word "Oath" shall include Affirmation in the Case of Quakers, and Declaration in the Case of Persons allowed by Law to make a Declaration in lieu of an Oath; the Word "Owner," used with reference to any Lands or Premises in respect of which any Work is required to be done or any Assessment paid under this Act, shall mean the Person for the time entitled to receive, or who, if such Lands or Premises were let to a Tenant at a Rack-rent, would be entitled to receive, the Rack-rent from the Occupier thereof; the Expression "Rack-rent" shall mean Rent which is not less than Two Thirds of the full net annual Value of the Property out of which the Rent arises, and the full net annual Value shall be taken to be the Rent at which the Property ought reasonably to be expected to let from Year to Year, free from all Feu Duty, Ground Rent, and usual Tenants' Rates and Taxes, and deducting therefrom the probable annual Cost of the Repairs, Insurance, and other Expenses (if any) necessary to maintain the same in a State to command such Rent; the Expression "private Assessment" shall mean any Assessment or Charge on Individuals for private Improvement Expenses, or for House Drainage, or otherwise, under this Act; the Expression "District Assessment" shall mean any Assessment other than a "private Assessment" which is confined only to a Portion or District of any Burgh; the Word "Cattle" shall include any Horse, Mare, Gelding, Foal, Colt, Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine; Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number; and Words importing the Masculine Gender (except only the Word "Male") shall include Females.

III. And be it enacted, That the Boundaries of such Burghs and Towns as send or contribute to send a Member or Members to Parliament shall for the Purposes of this Act be the same as the Boundaries which are fixed by an Act passed in the Second and Third Year of the Reign of His Majesty King William the Fourth, intituled *An Act to amend the Representation of the People in Scotland*.

The Boundaries of Parliamentary Burghs to be those fixed by 2 & 3 W. 4, c. 65.

IV. And be it enacted, That the Boundaries of all other
Royal

Bound-
aries of
all other
Royal
Burghs
and Burghs
of Regality
and Ba-
rony, how
to be fixed.

Royal Burghs, Burghs of Regality and of Barony shall for the Purposes of this Act be fixed by the Sheriff as after mentioned, but so as not at any Point to extend more than One thousand Yards beyond the Bounds of such Burghs as established by Charter, Grant, Prescription, or Act of Parliament; and on the Application of any Twenty-one or more Householders in any such Burgh, or of the Magistrates and Council of any such Burgh, and after such Publication by Advertisement and otherwise as the Sheriff may direct, and after such Investigation (if any) as the Sheriff may deem necessary or proper, the Sheriff shall and he is hereby required to mark out, define, and specify, in a written Deliverance, on such Application, the Boundaries of such Burgh, for the Purposes of this Act, being always within the Limits of such One thousand Yards aforesaid; and such Deliverance shall be final, and when recorded, along with the Application on which it proceeds, in the Sheriff Court Books of such County, shall fix and determine the Boundaries of such Burgh for the Purposes of this Act; and whenever the Boundaries of such Burgh as so ascertained for the Purposes of this Act shall include a Portion of a different County than that in which the original Bounds of such Burgh are situated, such Portion shall for the Purposes of this Act be held to be within and to form Part of the County in which such original Bounds are situated as aforesaid.

Bound-
aries of
populous
Places how
to be fixed.

V. And be it enacted, That on the Application of any Seven or more Householders in any populous Place of which the Population shall not exceed Three thousand Inhabitants, and on the Application of any Twenty-one or more Householders in any populous Place of which the Population shall exceed Three thousand Inhabitants, and after such Publication by Advertisement and otherwise as the Sheriff may direct, the Sheriff shall appoint and direct a proper Person to make out and furnish, within Fourteen Days thereafter, a Return showing to the best of his Knowledge and Belief the Amount of the Population within such populous Place, and thereafter, and after such further Investigation (if any) as the Sheriff may deem necessary or proper, it shall be lawful for the Sheriff and he is hereby required to mark out, define, and specify in a written Deliverance on such Application the Boundaries of such populous Place, and to declare that such Place is a populous Place in Terms of this Act; and such Deliverance shall be final, and when recorded, along with the Application on which it proceeds, in the Sheriff Court Books of the County, shall fix and determine the Boundaries of such populous Place for the Purposes of this Act.

If not
adopted
within a
Year,

VI. And be it enacted, That if at the Expiration of One Year from the Date of such Deliverance in regard to any Burgh
or

or populous Place this Act shall not have been adopted by such Burgh or Place, in whole or in part, the Boundaries of such Burgh or Place shall for the Purposes of this Act be held and taken to be still unascertained.

Boundaries to be held to be unascertained.

VII. And be it enacted, That it shall be lawful for any Seven or more Householders in any Burgh of which the Population shall not exceed Three thousand Inhabitants, and for any Twenty-one or more Householders in any Burgh of which the Population shall exceed Three thousand Inhabitants, or for the Magistrates and Council of any such Burgh, whether exceeding in Population Three thousand Inhabitants or not, to apply in Writing to the Chief or Senior Magistrate of such Burgh, if a Royal or Parliamentary Burgh, or if otherwise to the Sheriff of the County in which such Burgh is situated, requiring him to convene a Meeting of Householders in such Burgh, for the Purpose of considering whether the Provisions of this Act or any Part of the same shall be adopted and carried into execution within such Burgh: Provided always, that, previously to such Requisition being entertained by such Magistrate or Sheriff, the Boundaries of such Burgh shall have been ascertained, where required to be ascertained for the Purposes of this Act, by Proceedings under the same.

Power for Chief Magistrate, &c. of Burghs to convene a Meeting of Householders to consider of the Adoption of this Act.

Boundaries of Burgh to be ascertained previously.

VIII. And be it enacted, That such Magistrate or Sheriff shall, upon receiving such Requisition for the convening a Meeting, accompanied, if he shall so require, with a satisfactory Undertaking to pay the Expenses after mentioned, appoint and direct a proper Person to make out and furnish, within Fourteen Days thereafter, (except where previously made out and furnished as directed by this Act), a Return showing to the best of his Knowledge and Belief the Amount of Population residing within such Burgh, and shall also direct the Collectors of the Poor Assessment within such Burgh to furnish him, within the like Period, with a List of the Names of all Householders within such Burgh; which List of Householders, distinguishing the Amount of Rental at which each Person is assessed, the said Collectors are hereby required to make and certify on Payment of a Fee of not more than One Shilling for each One hundred Names, and which List shall be sufficient Proof of the Qualification of the Householders named therein; and in case it shall be expedient to obtain such List otherwise than from such Collectors' Book, it shall be competent for such Magistrate or Sheriff to cause an accurate List to be taken and made up by Persons to be appointed for that Purpose.

Return of the Population and Lists of Householders to be made out.

IX. And be it enacted, That if the Provisions of this Act shall be adopted in whole or in part, all the Expenses incurred in

Expenses attending the calling in

First Meeting, &c.,
how to be borne.

in relation to fixing the Boundaries, calling the First Meeting, making out Population Returns and Lists of Householders, and otherwise in relation to carrying this Act into execution, shall be defrayed out of the Money assessed and levied under the Authority thereof; but in case the Provisions of this Act shall not be adopted by such Meeting as aforesaid, in whole or in part, then the whole Expenses incurred in relation to fixing the Boundaries shall be paid and borne by the Persons signing the Application in that Behalf; and the whole Expenses incurred in relation to calling and holding the First Meeting, making out Returns and Lists, taking Polls, and all other Expenses whatsoever thereto relating, except as herein-after specially provided for, shall be paid and borne by the Persons signing the Requisition for holding such Meeting; and the Party or Parties who shall have disbursed such Expenses is and are hereby authorized to pursue for and recover the same, with Expenses of Suit, and that by summary Process before the Sheriff, whose Determination shall be final.

Mode of calling
First Meeting.

X. And be it enacted, That on Receipt of such Requisition such Magistrate or Sheriff shall convene the Householders in the Town Hall or other convenient Place within such Burgh, as the Case may be, and shall lay this Act before such Meeting, together with such Requisition, Return, and List aforesaid, and shall attend and shall preside at such Meeting, and at each subsequent Meeting authorized by this Act, and shall appoint a Clerk to act thereat, who shall make regular Minutes of the Proceedings thereof; and such Magistrate or Sheriff shall, in case of Equality of Votes, besides his deliberative Vote, have a casting or decisive Vote.

Meetings to be intimated by posting Handbills, &c.

XI. And be it enacted, That such Meeting shall be held on a Day not less than Twenty-one Days or more than Thirty Days after such Magistrate or Sheriff shall have received such Requisition to convene a Meeting as aforesaid; and Intimation thereof shall be made by posting Handbills within such Burgh Fourteen Days preceding the Day of the Meeting, in the Form of the Schedule marked (A.) hereunto annexed, and by Tuck of Drum, or other Mode of Intimation usually adopted in such Burgh, Two Days in each Week for Two Weeks before such Meeting, or by open Proclamation within such Burgh; and also by an Advertisement in any Newspaper published in such Burgh, and if no Newspaper be published therein, then in a Newspaper circulating in such Burgh, at least Three clear Days before the Day appointed for such Meeting.

Qualification of Voters.

XII. And be it enacted, That at such Meeting, and generally at all Meetings and Elections under this Act, all Householders shall be entitled to vote; and Companies or Copartnerships

ships occupying Houses or other Heritable Subjects of the yearly Value of Ten Pounds or of greater Value, so as to afford more than One Qualification of Ten Pounds, shall be entitled to grant Authority in Writing to any One or more of the Partners of such Company or Copartnership to vote, and which Partner or Partners shall be deemed to be a Householder within the Meaning of this Act, and have Vote accordingly: Provided always, that such Company or Copartnership shall not so authorize or have Right to vote by more than One Partner in respect of each Qualification of Ten Pounds afforded by such Premises: Provided also, that in case of any Difficulty arising as to the Qualification or Identity of any Householder, the same shall be decided by such Magistrate or Sheriff, whose Determination shall be final.

XIII. And be it enacted, That such Meeting shall proceed to consider and determine whether this Act shall, in whole or in part, be adopted and carried into execution within such Burgh, or shall appoint a Committee of their own Number, not exceeding Nine, to inquire and report to some future Meeting to be held on such Day as shall be appointed; and such future Meeting shall, upon the Report of such Committee, proceed in all respects in the Manner herein directed for such Meeting.

Power of Meeting to adopt this Act, or to decline to adopt it.

XIV. And be it enacted, That the Preses of such Meetings shall ascertain the Determination thereof by a Show of Hands, or in such other Manner as shall appear to him expedient, and shall declare the same; which Declaration shall be final, unless the same shall not be unanimous, and a Poll shall be then demanded in Writing by any Five Persons present and qualified to vote at such Meeting.

Preses to declare the Determination of the Meeting.

XV. And be it enacted, That when such Poll shall be demanded as aforesaid, such Magistrate or Sheriff shall direct the same to be proceeded in at such Polling Place or Places and within such Period as he shall determine, not exceeding Two clear Days from the Day of the Date of such Demand in Writing, exclusive of *Sundays*, and the Polling shall commence at the Places intimated at Nine of the Clock of the Forenoon of the Day that shall be named.

Preses to direct a Poll, when demanded.

XVI. And be it enacted, That no Poll by this Act authorized to be taken shall be kept open for more than One Day, and that only between the Hours of Nine in the Morning and Four in the Afternoon; and the Poll shall close at any Time after the Lapse of Two Hours without any qualified Person offering to vote.

Poll not to be open more than One Day, but may close earlier.

XVII. And be it enacted, That such Magistrate or Sheriff shall direct the necessary Number of Poll Clerks to be appointed, and of Poll Books to be prepared in the Form of

Poll Book to be provided.

Schedule

Schedule (B.) hereunto annexed, in which Books shall be inscribed by such Clerks the situation of the Premises in respect of which the Voter is qualified, and the manner in which he votes, and the Voter shall sign his Name to such Entry or Inscription.

State of
Poll to be
ascertain-
ed and de-
clared.

XVIII. And be it enacted, That as soon after the Close of the Poll as may be the Poll Clerks shall transmit the State of the respective Polls to such Magistrate or Sheriff, who shall sum up the same, and openly declare the result of the total Poll at an adjourned Meeting to be held on the next lawful Day; and any Householder present at such adjourned Meeting may then and there demand a Scrutiny, and, on finding Caution or Security to the Satisfaction of such Magistrate or Sheriff for the Reimbursement of the Expenses attending the same, such Scrutiny shall be made by such Magistrate or Sheriff in such Way and Manner as he may deem proper, and shall be reported to another adjourned Meeting to be appointed by such Magistrate or Sheriff, and to be held on a Day not later than the Third Day from such Second adjourned Meeting; and the Result of such Scrutiny as declared by such Magistrate or Sheriff, or, if there be no Scrutiny, the Result of the Poll as originally declared, shall be final, and the Party demanding such Scrutiny shall be liable in the Expense thereof.

Majority
necessary
to adopt
this Act in
whole or in
part.

XIX. And be it enacted, That any Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual if it be carried by a Majority of the Persons qualified and voting as aforesaid.

How Mi-
nutes of
Meeting
to be
worded if
Act adopt-
ed in part
only.

XX. And be it enacted, That if such Resolution shall be to adopt this Act only in part, the Matter or Matters with respect to which this Act is so adopted shall be set forth and declared in the Minutes of such Meeting in the Words introductory to the enactment in this Act with respect to such Matter, or it shall be set forth and declared in such Minutes that this Act, with the exception of the Matter or Matters so described, is so adopted; and it shall not be competent by such Resolution to adopt Part only of the Provisions applicable to a Matter provided for in this Act, but the whole Enactment with respect to such Matter must, if adopted, be adopted entire; and any Adoption of this Act, though in part only, shall infer the Adoption of the Enactments with respect to Commissioners, and shall also infer the Adoption of the Enactments with respect to Assessments, and shall also infer the Adoption of the Enactments with respect to Appeal to the Sheriff in so far as the Enactments relate to the Matter or Matters adopted, and shall also infer the Adoption of every other general Enactment or Enactments applicable to such Matter or Matters, though not specially

pecially set forth and declared in such Minutes to be adopted.

XXI. And be it enacted, That where any Burgh shall have resolved not to adopt the Provisions of this Act, or shall have adopted them only in part, the Householders thereof may, after the Expiration of Two Years from the Date of any preceding Meeting, but not sooner, by such and the like Proceedings, again take this Act into consideration, and adopt the same in whole or in part, or such Part thereof as may not have been formerly adopted, or determine not to adopt the same.

If Act not adopted, Proposal may be reconsidered after Two Years.

XXII. And be it enacted, That where the Parliamentary Boundaries of any Burgh include a Royal Burgh, the Householders of which Royal Burgh do not exceed in Number Three Fourths of the Householders within such Parliamentary Boundaries, it shall be competent for any Two Thirds or more of such Householders of such Burgh as are beyond the Limits of such Royal Burgh, and within such Parliamentary Boundaries, present at the Meeting adopting this Act, or at some adjourned Meeting as aforesaid, to resolve that such Burgh shall for the purposes of this Act be deemed and taken to be only a populous Place, and such Burgh shall thereafter be deemed and taken for the Purposes of this Act as only a populous place accordingly: Provided always, that in such Case the Magistrates of such Royal Burgh shall, *ex-officio* and along with the Commissioners to be elected in Terms of this Act, be Commissioners for the Purposes of this Act within such Parliamentary Boundaries, anything in this Act to the contrary notwithstanding; and provided also, that it shall not be lawful for the Commissioners to be elected for such Burgh in Terms of this Act to elect any Magistrates of Police, anything in this Act to the contrary notwithstanding, but the Magistrates of such Royal Burgh shall be the Magistrates of Police within such Parliamentary Boundaries.

Where Parliamentary Boundaries include Royal Burgh, Householders may resolve it shall be held as a populous Place.

XXIII. And be it enacted, That where the Parliamentary Boundaries of any Burgh which shall have resolved not to adopt this Act in whole or in part include a Royal Burgh, it shall be competent for such Royal Burgh, and for any populous Place within such Parliamentary Boundaries, and without the Limits of such Royal Burgh, to take measures for adopting this Act within such Royal Burgh and populous Place respectively, in so far as not adopted within such Parliamentary Boundaries.

Where Parliamentary Boundaries include Royal Burgh Act may be adopted in Royal Burgh separately if not adopted within whole Boundaries.

XXIV. And be it enacted, That where the Parliamentary Boundaries of any Burgh include One or more Towns or Places which if not included within such Parliamentary Boundaries

When Parliamentary Boundaries include Places which might otherwise have separately adopted Act, Provision for their still doing so in certain Circumstances.

Boundaries might have separately adopted this Act, and where such Town or Place, Towns or Places, have a separate Magistracy or separate Magistracies, or a separate Police Act or separate Police Acts, this Act shall not be adopted in whole or in part within such Burgh, unless a Majority not only of the Householders of such Burgh but of the Householders of each such Town or Place who shall be present at the Meeting held in Terms of this Act to consider or determine as to the Adoption of this Act within such Burgh, or who shall vote at the Poll following thereon, shall be in favour of such Adoption; and where in such Burgh this Act shall not have been adopted in whole or in part by reason of such Majorities not having been obtained, it shall be competent for each such Town or Place to take measures for the adoption of this Act separately, in the same Manner as if such Town or Place did not form Part of such Burgh.

Further Proceedings on Act being adopted.

XXV. And be it enacted, That where this Act shall be adopted in any Burgh, in whole or in part, the Resolution to adopt it shall not be subject to any further Question; and, except in the Cases after mentioned, and where it may be necessary to provide for the special Election of Commissioners and Magistrates of Police, the Householders thereof present at the Meeting adopting this Act unanimously, or at some adjourned Meeting as aforesaid, shall then and there proceed to determine by a Majority of Votes, and shall set forth in their Minutes, the Number of Commissioners to be elected by the Householders to carry this Act into operation, and also whether such Burgh shall be divided into Wards for the Purposes of this Act, and, if so, the Bounds and Limits of such Wards.

Proceedings to be reported to the Sheriff.

XXVI. And be it enacted, That the Resolutions and whole Proceedings of such Meetings shall be reported to the Sheriff by the Transmission to him of the Minutes of such Meetings, and all Documents laid before the same, within Forty-eight Hours after the close of the Proceedings aforesaid, and the Sheriff shall within Forty-eight Hours after the Receipt thereof, pronounce a Deliverance thereon, finding and declaring, as the Case may be, either that this Act has not been adopted, or that the Powers and Provisions thereof (in so far as such Minutes shall show this to have been the case) have been adopted, and that this Act shall apply to such Burgh in manner therein set forth, and shall forthwith cause such Minutes to be recorded in the Sheriff Court Books of the County, and in the Books (if any be) of the Burgh to which they specially apply; and such Deliverance by the Sheriff shall be final.

And

And with respect to Commissioners for the Purposes of this Act, be it enacted as follows : *Commissioners.*

XXVII. That the Commissioners for the Purpose of executing this Act, to be elected as herein-after provided, shall be in Number either Six, Nine, or Twelve, as may be determined as aforesaid. Number of Commissioners :

XXVIII. That where the Burgh shall be divided into Wards as aforesaid, the Number thereof, and the Number of Commissioners to be elected in Manner herein-after provided, shall be so settled and adjusted that there shall be Three such Commissioners for each such Ward. If Burgh divided into Wards.

XXIX. That as soon as may be after the Deliverance of the Sheriff declaring that this Act shall apply, in whole or in part, to a Burgh adopting the same as aforesaid, and where Commissioners are to be elected, the Chief or Senior Magistrate or Sheriff, as the case may be, shall convene a Meeting of the Householders of the Burgh qualified as aforesaid, in the Town Hall or other convenient Place within the Burgh, or, if the Burgh shall be divided into Wards, at some convenient Place in their respective wards, to be specified in the Notice to be given of such Meeting, for the Election of Commissioners for the purpose of executing this Act, all which Meetings shall be summoned in the same Way and Manner and at the same distance of Time as is provided for the First Meeting to be held in virtue of this Act ; and in all such Burghs as shall be divided into Wards in manner herein provided the Ward Meetings shall elect their own Preses ; and the Commissioners shall be elected by such Meeting or by such Wards. Meeting for Election of Commissioners to be convened.

XXX. That such Election shall be proceeded with in manner following ; (that is to say,) any Householder of the Burgh shall be eligible to be elected a Commissioner for the Purposes of this Act, and may be proposed at such Meeting by any Householder, and may be seconded by any other Householder ; and the Preses of the Meeting shall thereupon ascertain and declare the Resolution thereof in manner aforesaid ; and if such Election shall not be unanimous, and if a Poll shall be demanded in Writing, in the Manner before provided, at any Meeting for the Purposes of Election under this Act, such Magistrate or Sheriff or such Preses of such Meeting shall open and proceed with such Poll in the Manner herein-before provided ; and such Magistrate or Sheriff or Preses of Wards respectively shall for that Purpose appoint a Clerk, and shall provide a Book in the Form of Schedule (C.) hereunto annexed, in which the Votes shall be entered, and shall declare the result of such Poll as appearing on such Book ; and such Magistrate or Sheriff or Preses shall be reimbursed all such reasonable Election of Commissioners.

Charges

Charges or Expenses as may be incurred in providing Clerks and Books, and otherwise in the Performance of the Duties hereby required of them, out of the Money assessed and levied under the Authority of this Act.

First Meeting of Commissioners.

XXXI. That the whole Commissioners so returned as aforesaid shall, at Twelve of the Clock Noon on the First *Monday* after such Election, hold their First General Meeting in the Town Hall or other convenient Place within such Burgh, with Power to adjourn to such other Place as they may think fit; and every Person who may consider that he ought to have been returned as a Commissioner may lodge a Complaint in Writing, signed by him or by some Person duly authorized on his Behalf, with the Commissioners assembled at such Meeting, who shall thereupon remit to a Committee of Three or Five of their Number to inquire into the Merits of such disputed Election, and to report thereon to a subsequent Meeting of the Commissioners, and such Report shall be final; and in case there shall be an Equality of Votes at any Election, the Commissioners shall determine by Vote which of the Candidates shall be preferred; and no Election or Appointment under this Act shall be quashed or set aside on account of any Misnomer, Omission, or other Informality; and every Party returned as a Commissioner shall be entitled to act until, upon a Scrutiny, his Return shall be quashed or set aside; and the Commissioners returned shall be entitled to act, though, by reason of Equality of Votes or otherwise, the full Number of Commissioners may not be filled up; and the Commissioners returned shall be arranged alphabetically according to their Surnames, and where the Burgh is divided into Wards the Commissioners for each Ward shall be kept in separate Lists.

Commissioners to choose a Senior and Two Junior Magistrates of Police.

XXXII. That the Commissioners shall, at such First Meeting or adjourned Meeting, by a Plurality of Voices, (the Commissioner who had the greatest Number of Votes at the Election of Commissioners having a casting or double Vote in case of Equality,) elect from among their own Number a Senior and Two Junior Magistrates of Police.

Commissioners to be elected annually.

XXXIII. That One Third of the Commissioners, or, where the Burgh is divided into Wards, One Third of the Commissioners for each Ward, being in each Case those who are the highest on the List or Lists of Commissioners for the Time, shall go annually out of Office, *videlicet*, on the same Day at the Expiration of a Year on which Commissioners were last elected into Office, or on the next lawful Day thereafter; and on the same or the next lawful Day annually the Places of the Commissioners going out of Office shall be supplied by an equal Number of new Commissioners, to be chosen from among the Householders

Householders of the Burgh in the manner aforesaid, under all the Rules, Regulations, and Provisions applicable to such First Meeting and Election, and where the Burgh is divided into Wards the place of each Commissioner going out of Office shall in all Cases under this Act be filled up by the Ward which returned him ; and the like Notice of each such annual Meeting shall be given as is herein-before directed to be given of such First Meeting for the Election of Commissioners ; and the Commissioners elected at each annual Meeting, arranged alphabetically according to their Surnames, shall be placed at the Foot of the List of Commissioners, or, where the Burgh is divided into Wards, at the Foot of the List of Commissioners for their respective Wards ; and where the Senior Magistrate of Police would in ordinary Rotation be One of the Commissioners going out of Office, but remains to complete the Period of Three Years Service as such Senior Magistrate, another Commissioner, being the highest on the List, or where the Burgh is divided into Wards, the highest on the List for the Ward by which such Senior Magistrate was elected, shall go out in the Room of such Senior Magistrate.

XXXIV. That any of such out-going Commissioners may be re-elected : Provided always, that no Person shall be eligible as a Commissioner, or entitled to vote at such Election, who shall have been relieved from the Assessment made on him for the purposes of this Act for the Year immediately preceding on the Ground of Inability to pay the said Assessment, or by whom any Arrear of any Assessment due under this Act shall at the Time of the Election have been owing for the Space of a Month, and shall since it became due have been demanded, whether such Arrear shall be due by himself or by any Company or Copartnership by which he is authorized to vote ; and a Certificate under the Hand of the Collector shall be deemed and taken to be sufficient Evidence of such Arrears or Relief.

XXXV. That where any Magistrate of Police elected under this Act shall be in the Third of the Commissioners going out of Office, the Place of such Magistrate of Police shall be supplied by Election by the Commissioners as soon as the full Number thereof shall have been completed by the annual Election of the Third hereby directed to take place ; and such Election shall be made by Plurality of Voices, and the Senior Magistrate of Police, or in his Absence the Commissioner whose Name is found highest on the Poll, shall have a double or casting Vote, in case of Equality : Provided always, that the Senior Magistrate shall always remain in Office for the Period of Three Years, and that he, as well as the Junior Magistrates,

Out-going
Commis-
sioners
may be
re-elected.

Vacancies
in the Ma-
gistrates
of Police
how to be
supplied.

Magistrates, shall at all Times be capable of being re-elected.

Interim
Vacancies
how to be
supplied.

XXXVI. That in case the Place of any of the Commissioners or Magistrates of Police elected as aforesaid shall become vacant by Death, Refusal to act, Disqualification, or Resignation, then and in such Cases it shall be lawful for the remaining Commissioners and Magistrates of Police to nominate Persons duly qualified to supply such Vacancies; and each Person so nominated shall have and enjoy the same Powers and Privileges as the Person in whose Stead he is nominated, and shall remain in Office until the next Period of Election, when he shall go out of Office, and the Vacancy shall be supplied by the Householders of the Burgh, or, if the Burgh be divided into Wards, the Householders of the Ward.

If Electors
refuse, &c.
to elect,
Commissioners
previously
in Office
may.

XXXVII. That if the Electors shall at any Time refuse or neglect to elect the whole or any Part of the Number of Commissioners originally fixed and agreed to, it shall be lawful for the Commissioners who held Office immediately before the Time specified for such Election to supply the Deficiency.

In Royal
and Par-
liamentary
Burghs
having
Magis-
trates and
Councils,
such Ma-
gistrates
and Coun-
cils shall
be Com-
missioners
for execut-
ing this
Act.

XXXVIII. That where the Powers and Provisions of this Act shall be, in whole or in part, adopted in any Royal or Parliamentary Burgh having Magistrates and Council, the Magistrates and Council of such Burgh for the Time being shall be the Commissioners for carrying this Act, or such Part thereof as shall be adopted, into operation, as regards such Burgh, and no special Election of Commissioners of Police or Magistrates of Police for such Burgh shall take place under this Act; and the Magistrates of such Burgh shall be the Magistrates of Police thereof, and shall have all the Powers, Privileges, and Jurisdictions of Magistrates of Police under this Act.

In Burghs
of Regality
or Barony
having
Magis-
trates and
Councils,
the House-
holders
may vest
such Ma-
gistrates
and Coun-
cils with
the Office
of Com-
missioners.

XXXIX. That where the Powers and Provisions of this Act shall be, in whole or in part, adopted in any Burgh of Regality or Barony having Magistrates and Council (not being a Burgh in which as bounded for the Purposes of this Act there shall be included any Territory situated in a different County from that in which such Burgh as previously bounded was situated), it shall be in the Power of the Householders thereof present at the Meeting adopting the same unanimously, or at some adjourned Meeting as aforesaid, to determine by a Majority of Votes, and to set forth on their Minutes, that the Magistrates and Council of the Burgh for the Time being shall always be the Commissioners for carrying this Act, or such Part thereof as shall be adopted, into operation as regards such

such Burgh; and in that Case, but in that Case only, such Magistrates and Council for the time being shall always be such Commissioners within such Burgh, and no special Election of Commissioners of Police or Magistrates of Police for such Burgh shall take place under this Act; and the Magistrates of such Burgh shall be the Magistrates of Police thereof, and shall have all the Powers, Privileges, and Jurisdictions of Magistrates of Police under this Act.

XL. That no Commissioner shall, directly or indirectly, derive any Emolument or Profit from any Business or Work of any Description performed or to be performed by him under this Act; nor shall any Commissioner be capable (while he holds Office as such Commissioner) of enjoying any Office of Profit to be created or established by virtue of this Act, or while he has any Share or Interest in any Contract relating to the Execution thereof; nor be capable of standing as a Candidate for any such Office, or be a Competitor for any such Contract, save and except Contracts entered into with any Chartered or Joint Stock Company of which such Commissioner may be a Partner.

Commissioners not to hold Places of Profit under this Act.

XLI. That the whole Commissioners shall be cited to attend all Meetings, both Special and Statutory, (save only the First Meetings under this Act,) such citation being given personally, or at their Dwelling Houses or Shops, by written or printed Summonses issued by their Clerk, at least Twenty-four Hours before the Time of meeting; and the Senior Magistrate present, or in Absence of any Magistrate such one of the Commissioners as shall be chosen by the Meeting shall preside in all Meetings of the Commissioners; and the Preses of all Meetings of the Commissioners shall have both a deliberative and in case of Equality a casting Vote in all Matters which shall come before them: Provided always, that One-Third of the Commissioners must be present at all Meetings to constitute a Quorum.

Commissioners to be summoned to attend Meetings.

Quorum.

XLII. That Meetings of the Commissioners shall be held in such Places as they shall appoint within the Burgh, upon the second *Monday* of the Months of *February, May, August,* and *November* in each Year, at Twelve of the Clock Noon.

Statutory Meetings of Commissioners.

XLIII. That the Clerk to the Commissioners, on Requisition being made to him, stating the Object of the intended Meeting, in Writing and signed by two of the Commissioners, shall cause Special Meetings to be called within Forty-eight Hours and to be held within Four Days after such Requisition, and shall cause the whole Commissioners to be summoned to attend such Meetings by printed or written Summonses containing a Copy of such Requisition.

Special Meetings may be called on Requisition.

XLIV. That

Special Meetings not to annul Rules made at Statutory Meetings. Meetings may be adjourned. Commissioners to defray their own Expenses. Power to appoint Committees.

XLIV. That no Rules or Regulations shall be adopted or carried into Execution by any Special Meeting which shall tend to alter or annul any Rules or Regulations which may have been made and framed at any of the Four Meetings hereby appointed to be held annually.

XLV. That the Commissioners may adjourn to any other Day, Hour, and Place within the Bounds before described.

XLVI. That at all and each of the Meetings to be held in virtue of this Act the Commissioners present shall defray their own Expenses.

XLVII. That the Commissioners shall have Power to form Committees of their Number, either with Directions to report to the Commissioners, or for carrying the various Purposes of this Act into execution, and to delegate to such Committees the Powers competent to the Commissioners under this Act, in whole or in part, with regard to the Subject which may be remitted, to name the Convener, and to fix the Numbers of such Committees who shall form a Quorum; and the Convener who shall preside at such Committee shall be entitled to a casting Vote in case of Equality, and to convene the Members by Notices in the Way he shall think most convenient.

XLVIII. That the Commissioners shall, in such Manner as to them shall seem best for the Purposes of this Act, estimate, assess, levy, and apply the Sums of Money hereby authorized to be raised for the Purposes of this Act, and shall have Power, at such times as they shall appoint, and from Time to Time, to order and direct Lists to be taken of the Inhabitants of the Burgh, and of the Value of Premises situate therein, and to appoint a Superintendent of Police, at a fixed annual Salary, and also to appoint, at such salaries as they shall judge meet, Clerks, Treasurers, Collectors, Surveyors, and all other Persons whose Appointment is not herein otherwise provided for, to be employed in the Execution of this Act, and to remove and suspend such Clerks, Treasurers, Collectors, Surveyors, and other Persons at Pleasure, and to fix the Number and Description of Officers to be employed in the Execution of this Act, and the Wages to be paid to them respectively, whether appointed by themselves or not, and to increase or diminish their Numbers from Time to Time as they shall see Cause, and to make Orders and Regulations for their Government; and the Commissioners shall have Power also, with the Consent of the Proprietors, to purchase such Lands and Premises as shall be required for the Purposes of this Act, and shall also have full Power and Authority to make all necessary Rules, Orders, and Regulations relative to the watching, lighting with Gas or otherwise, paving and cleansing the Streets, Roads,

Powers and Duties of Commissioners.

Roads, Lanes, Passages, or public Ways or Places within the Burgh, or to the Supply and Distribution of Water and Gas to the same, in so far as the Powers of this Act may apply to these Objects in the Burgh, and for the Prevention of infectious Diseases, and putting down and removing such Nuisances as may affect the Health of the Inhabitants, and for carrying fully into effect all the Objects and Purposes and Provisions of this Act, and shall enact Penalties for enforcing the same, not exceeding in any Case the Sum of Twenty Shillings, and execute the whole other Matters specified in this Act and committed to their Charge: Provided always, that the Rules and Regulations so to be made shall not be contrary to the Law of *Scotland*, or to anything in this Act contained.

XLIX. That the Commissioners, or any Committee of their Body thereunto especially empowered, may contract with any Person for carrying into execution any of the Operations hereby authorized; and such Contract shall be signed by the Preses and Clerk in name of the Meeting at which such Agreement or Contract shall be made.

Commissioners may contract for Execution of Works.

L. That the Monies arising from the Assessment hereby authorized to be levied, and all other Property acquired by the Commissioners in pursuance of the Powers hereby granted, shall be and the same are hereby vested in the Commissioners and their Successors, for the Uses and Purposes mentioned in this Act, and for no other Purpose whatever.

Property vested in Commissioners.

LI. That the Commissioners shall appoint a Clerk for keeping the Books and Records of the Commissioners and their Committees; which Book or Records, being signed by the Preses of each respective Meeting, or any Copy or Extract therefrom, authenticated by the Signature of the Clerk, shall be received as Evidence in all Courts whatsoever in any Case or Matter concerning this Act, and shall be open to the Inspection of any Person interested therein, without Payment of any Fee or Reward; and the Clerk shall, when required, give certified Copies or Extracts therefrom to all Persons requiring the same, upon Payment of such reasonable Sum as shall be fixed by the Commissioners, not exceeding One Shilling for every Three hundred Words.

Clerk to be appointed.

LII. That no Person who may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or any Person in the Employ of such Clerk or of his Partner, shall act as Agent or Solicitor in the Trial of any Offence committed within the Limits of the Burgh as fixed for the Purposes of this Act; and in the event of a Contravention of such Provisions, such Clerk shall be thenceforth disqualified from

Clerk not to be concerned as Agent, &c. in any Prosecution under this Act.

from holding any Office whatever under this Act, and from acting as a Commissioner under this Act.

Treasurer
and Collec-
tor to be
appointed.

LIII. That the Commissioners shall in like Manner at their First Meeting elect and appoint a Treasurer and Collector to act during their Pleasure; and such Collector and Treasurer, before they shall be permitted to take upon them the Execution of their Office, shall respectively grant Bond, with sufficient Sureties, to the Commissioners, for their Intromissions, and for the just and faithful Execution of their Office, to such an Amount as the Commissioners shall think reasonable: and any Collector or Treasurer who may be convicted of wilfully secreting or not accounting to the Commissioners for any Sum of Money received by him as Collector or Treasurer shall forfeit Triple the Amount thereof to the Commissioners.

Allowance
to Clerk,
Treasurer,
and Col-
lector.

LIV. That the Commissioners may allow reasonable Salaries to the Clerk and Treasurer, and the Collector shall be allowed for his Trouble in collecting Assessments authorized to be levied under this Act a Sum not exceeding the Rate of Five Pounds *per Centum* upon all such Sums of Money as he shall collect and receive.

Collector
to lodge
all Monies
received
by him in
Bank.

LV. That such Collector shall be obliged to lodge all Money received by him in a chartered or other Bank, or in one of the Branches of such Bank in the Burgh, to be fixed by the Commissioners, upon an Account to be opened in the Name of the Commissioners, and to be operated upon by the Treasurer for the Time; and such Treasurer shall make no Drafts on the said Account for any private Purpose on any Pretence whatever, nor for any other Purpose than the Payments which shall from Time to Time be authorized by the Commissioners or their Committees for the Purposes of this Act, as the same shall be certified to the said Treasurer by the Clerk to the Commissioners, who shall countersign all such Drafts.

On Insol-
vency of
Treasurers
or Collec-
tors, Defi-
ciency may
be assess-
ed.

LVI. That in case any Treasurer or Collector shall become insolvent, and the Sums chargeable against him shall not have been paid by his Cautioners or Sureties, then and in every such Case the Sum deficient shall be assessed upon the Burgh at the next annual Assessment in the Manner herein prescribed with regard to annual Assessments, and shall be payable at such Time as the Commissioners shall appoint; and in case of Failure in Payment, the same Proceedings shall be competent as are hereby directed in case of Failure in Payment of the annual Assessment.

Treasurer
and Collec-

LVII. That it shall be lawful for the Commissioners to appoint the same Person to be both Treasurer and Collector
for

for the Purposes of this Act; but it shall not be lawful for the Commissioners to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Expenses, in the same Manner as any of the Penalties by this Act imposed may be sued for and recovered.

LVIII. That all Actions, Suits, or Proceedings in respect of any Matter or Thing relating to the Execution of this Act to be brought by or against the Commissioners shall be in the Name of their Clerk or Treasurer or Collector for the Time being, as the Party, Pursuer, or Defender, representing the Commissioners; and no Action, Suit, or Proceeding wherein the Commissioners shall be concerned as Pursuers or Defenders in the Name of their Clerk or Treasurer or Collector shall cease or abate by the Death, Resignation, or Removal of any such Clerk or Treasurer, or Collector, or by any Change in the Persons holding Office as Commissioners, but the Clerk, Treasurer, or Collector to the Commissioners for the Time being shall be deemed to be the Pursuer or Defender, as the Case may be, in every such Action, Suit, or Proceeding.

LIX. That Accounts of all Property, Heritable and Moveable, vested in the Commissioners, showing the Nature of such Property, and of all Money received and disbursed, and all Orders and Proceedings of the Commissioners, shall be kept in

tor may be same Person; but Clerk and Treasurer not to be same Person.

Actions by or against Commissioners, how to be brought, and not to abate.

Books of Accounts and Proceedings to be kept by Commissioners.

Books by their Clerk; and all such Books of Accounts and Proceedings whatsoever may at all seasonable Times be inspected and perused, without Fee or Reward, by any Person assessed, and also by any Person entitled to any Money due and owing on the Credit of such Assessment; and such Persons may take Copies of or Extracts from any of such Books, Accounts, and Proceedings, and the said respective Assessments, without Fee or Reward; and any Person in whose Custody or Power any such Books, Accounts, and Proceedings are, who shall refuse Inspection thereof, or to permit Copies or Extracts to be taken as aforesaid, shall be liable in a Penalty not exceeding Ten Pounds; and in case any Person who shall be assessed shall be dissatisfied with any Accounts which shall have been made up as aforesaid, or with any of the Items or Articles contained in any such Accounts, such Person may complain against the same by Petition to the Sheriff, in which Complaint shall be specified the Grounds of Objection to such Accounts, Items, or Articles; and the Sheriff shall proceed to hear and determine the Matter of such Complaint, and his Decision shall be final.

Account of
Receipt
and Appli-
cation of
Monies to
be made
out by
Commis-
sioners,
and print-
ed and
published.

LX. That the Commissioners shall yearly, and previous to their Statutory Meeting in the Month of *February* in each Year, cause to be made out a just and accurate Account of all the Monies received and expended in the Execution of this Act, showing from what Sources such Monies have been received, and to what Purposes the same have been laid out and applied; and which Account, so soon as the same shall have been audited as herein-after provided, shall be signed by Two of the Commissioners and the Clerk, and shall be deposited with the Clerk, who shall forthwith cause to be printed, and inserted in One or more of the Newspapers published or circulated in the Burgh, authenticated Abstracts of such yearly Accounts, and shall permit any Person assessed under this Act to inspect and examine such Accounts at all seasonable Times, without Payment of any Fee or Reward for such Inspection.

Auditors
to be ap-
pointed.

LXI. That the Commissioners shall, at their Statutory Meeting in the Month of *February* in each Year, appoint Two or more Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners, and may pay to such Auditors a reasonable Remuneration for their Time and Trouble, not exceeding Two Guineas each for every Day they shall be fully employed on such Audit, and all such Expenses as such Auditors shall be put to attending the auditing of the said Accounts; and if any Dispute arise as to the Amount of the Remuneration and Expenses to be paid to such Auditors, it shall be settled by the Sheriff, whose Decision shall be final.

LXII. That

LXII. That the Auditors so appointed shall attend as soon as conveniently may be after the said annual Meeting at the Office of the Commissioners, or at some other convenient Place to be appointed by the Commissioners, and from Time to Time shall proceed to audit the Accounts of the Commissioners for the Year preceding the said annual Meeting; and the Commissioners shall lay before such Auditors the Accounts for such Year, accompanied with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and any Person interested in the said Accounts, either as a Creditor or as a Rate-payer, may be present at the Audit of such Accounts, by himself or his Agent, and may make any Objection to any Part of such Accounts; and if such Accounts be found correct such Auditors shall sign the same in token of their Allowance thereof, but if such Auditors think there is just Cause to disapprove of any part of such Accounts, they shall make such Abatements from or Alterations of such Accounts as to them shall seem just, and in either Case shall ascertain and fix the Balance arising on such Accounts; and if the Commissioners be dissatisfied with the Result of such Audit they may appeal to the Sheriff, whose Decision shall be final: Provided always, that unless the Balance as ascertained and fixed by the Auditors shall be appealed to the Sheriff within Fourteen Days from the Date of such Ascertainment, such Balance shall be final and conclusive, and not subject to Review.

And with respect to General Assessments under this Act, be it enacted as follows:

LXIII. That once in each Year the Commissioners (being summoned in manner herein-before directed by written or printed Summonses, which shall state that the Meeting is for the Purpose of laying on an Assessment,) shall assess all Occupiers of Premises within the Burgh, in the Sums necessary to be levied for the Purposes of this Act, other than by way of Private or District Assessments, and shall fix a Day, not being less than Three Months from the Date of laying on such Assessment, on which the same shall be payable, and another Day, not being less than One Month preceding the Day on which such Assessment is so made payable, on or before which Appeals by any Parties, complaining that they have been improperly assessed, may be lodged with the Clerk, and another Day or Days on which Appeals shall be heard; and the Rate of Assessment, and Days, so fixed by the Commissioners, shall be published by Handbills posted in the Burgh, and by Advertisement in any Newspaper circulating therein (if any be,) or otherwise in some Newspaper circulating

Auditors to inspect Accounts, and may appeal against Part of the same if they think fit.

General Assessments.

Commissioners to make Assessment for the Purposes of this Act.

ing in the County in which the Burgh is situated ; and the Decision of the Commissioners on such Appeals shall be final : Provided always, that such Assessment other than Private and District Assessments shall not in any Year exceed the Rate of Two Shillings and Sixpence in the Pound where the Enactments of this Act with respect to Water have been adopted, or the Rate of One Shilling and Sixpence in the Pound where such Enactments with respect to Water have not been adopted.

Exceptions
from As-
sessments.

LXIV. That the Commissioners shall not assess any Premises which shall be unoccupied or unfurnished from one Term of *Whitsunday* to another Term of *Whitsunday*, nor the Town House of the Burgh, nor any Place used solely for Public Worship, nor any Buildings which are solely occupied for the Purposes of Religion, or of public Charity, or of Education, or which are exempted from County, Burgh, Parochial, or other local Rates or Cesses by the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of Her present Majesty, intituled *An Act to exempt from County, Burgh, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies*.

6 & 7 Vict.
c. 36.

Common
Good to
contribute
towards
the Pur-
poses of
this Act.

LXV. That when the Provisions of this Act shall have been adopted in any Burgh possessed of any free Income arising from the Common Good of such Burgh, after Deduction of the Interest of any Debt which such Burgh may owe, and also the necessary annual Outgoings of such Burgh, there shall be annually contributed therefrom such a reasonable Proportion towards the Purposes of this Act as the Town Council of such Burgh, having due Regard to the Extinction of the Capital of such Debt, shall think just : Provided always, that if any Six or more Inhabitants liable in Assessment under this Act shall think proper, such Inhabitants may require, by Notice in Writing, that the Amount of such Contribution shall be submitted to the Decision of the Sheriff, who is hereby required thereupon to repair to such Burgh, and to inquire into all Facts and Circumstances which he may deem material, and to take in Writing the Statements of Parties, and such Evidence as he shall think necessary, and such Sheriff shall decide as to the Amount of such Contribution to be paid from the Common Good of such Burgh, and such Decision shall be recorded in the Books of the Burgh, and also in the Books of the Commissioners : Provided also, that in the event of any Change of Circumstances operating either towards the Increase or Diminution of the free Income of such Burgh, it shall be competent either to the Town Council or to the said Inhabitants, after the Expiration of Three Years after the Date of any such Decision, or Three Years after the Date of any after Decision,

to

to propose an Amendment or Rectification of the existing Contribution; and in case of Disagreement between the Town Council and Inhabitants the Amount shall again be submitted to the Decision of the Sheriff; and the Decision of the Sheriff in both of the Cases above mentioned shall, subject to the fore-said Proviso, be final, and not subject to Review.

LXVI. That the Sum which the Burgh shall thus agree to, or shall be directed to contribute annually as aforesaid, shall be recoverable by such and the like Process as Debts due from the Common Good of Royal Burghs in *Scotland* may now by Law be recovered.

Contribution how to be recovered.

LXVII. That the said Assessment shall be levied from the actual Occupiers of all Premises (whether Proprietors or, Tenants;) but in the Cases of Premises let at a Rent under Five Pounds, or for a less Period than Half a Year, the Person by whom the Assessment shall be paid shall be entitled to deduct the same from the Rent payable to the Person by whom the said Premises shall be so let, who shall be liable for such Assessment, and from whom the same may be levied, in case of the Removal or Default of the actual Possessor of such Premises; and Deduction shall be allowed by the Commissioners of the Assessment for each entire Period of Six Months from *Whitsunday* to *Martinmas*, or from *Martinmas* to *Whitsunday*, during which any such Premises shall be unoccupied or not furnished: Provided always, that where Premises are let to One or more Persons at a Rent or Rents not exceeding Five Pounds, payable by each such Person respectively as his own Rent, or proper Share of Rent, and where the Assessments payable by the Occupier under this Act shall not have been recovered from such Occupier, it shall be lawful for the Commissioners to recover such Assessment from the Owner.

Occupiers to pay Assessments.

LXVIII. That the Collectors of Poor Assessments shall furnish the Commissioners, as often as they shall require the same, with a List of the Names of all Occupiers of Premises situated within the Burgh, certified as aforesaid, and on Payment of such Fee as is before provided; and in like Manner the Clerks of such Burghs as are included in the said recited Act of the Second and Third Year of the Reign of His Majesty King *William* the Fourth shall, upon Requisition, furnish the Commissioners with a List of the Persons qualified to vote in such Burgh for a Member of Parliament.

Names of Occupiers to be furnished by Collectors of Poor Assessments, &c.

LXIX. That the Commissioners shall annually cause to be made up a Roll or Book of Assessment, showing the yearly Rent or Value of the whole Premises in the Burgh liable to be assessed under this Act, and according to which the Assessments under this Act are intended to be levied; and such Roll or

Assessment Roll to be made up; and Appeals how to be entered and disposed of.
Book

Book of Assessment shall be open to Inspection by all Rate-payers, in the Hands of the Clerk, during the whole Period which shall intervene between the Date of laying on the annual Assessment and the Day appointed for hearing Appeals against the same; and the Commissioners shall have Power to rectify or alter any Valuation of Premises against which an Appeal may be taken by the Person liable to be assessed therefor, by Letter to the Clerk lodged with him on or before such Day as the Commissioners shall at the Time of laying on the Assessment appoint as aforesaid.

Commis-
sioners
may grant
Relief
from As-
sessment
in case of
Poverty.

LXX. That the Commissioners may, on the Ground of the Poverty or Inability to pay of any Person liable in Assessment under this Act, remit, in whole or in part, Payment of the said Assessment by such Person, in such Manner as the Commissioners shall in their Discretion think just and reasonable, but upon no other Account whatsoever.

Assess-
ment Roll
to be de-
livered to
the Collec-
tor.

LXXI. That as soon as may be after disposing of the Appeals in each Year the said Roll or Book of Assessment, as finally adjusted by the Commissioners, or a Copy thereof, docketed and signed by any Two of their Number, shall be delivered over to the Collector, as the Rule for levying and collecting the annual Assessment under this Act.

Recovery
of Rates.

LXXII. That if any Assessment is not paid when the same falls due, the Commissioners may authorize the Collector, by a Docquet to that Effect endorsed on the said Roll or Book of Assessment, and signed by any Two of their Number, to take legal Proceedings for recovering from the different Parties liable therein and remaining in arrear; and thereupon the Collector may present the said Roll or Book of Assessment, or a Copy thereof, docketed and signed and endorsed as aforesaid, to any One of the Magistrates of Police or other Magistrates of the Burgh, who is hereby authorized and required to grant such summary Decrees and Warrants as may be necessary for levying the same; and where any Person so rated and assessed as aforesaid shall refuse or neglect to pay the Assessment charged upon him, for the Space of Ten Days next after the same shall be due and demanded by the Collector, it shall be lawful for the Collector to apply to any such Magistrate for a Warrant to any of the Officers of the Burgh to enter any Premises rented or possessed by the Person assessed and refusing or neglecting as aforesaid, and to seize and take possession of his Goods and Effects, and which Warrant such Magistrate is hereby authorized and required to grant, upon a Certificate, signed by the Collector or Person who made the Demand, of such Demand having been made, and of such Person assessed being in arrear to the Amount stated in the Certificate; and if
such

such Assessment shall not be paid within Three Days after such Seizure is made, together with the Charges and Expenses thereby incurred, then the Collector is hereby authorized to sell by public Roup, either on the Premises where the said Goods were seized or any other Place, the whole or such Part of the said Goods or Effects as shall be sufficient to pay the said Assessment, with the Expenses attending such Seizure and Sale, returning the Surplus, if any be, to the Owner; and the Collector shall be bound to preserve the Warrants of such Seizures or Sales, and enter in a Book to be kept for that Purpose the Names of the Parties proceeded against, the Assessment due, the Expense of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested, for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party considering himself aggrieved to complain to any such Magistrate of anything done unjustly or oppressively in regard to such Seizure or Sale, such Complaints being made in the Form of Petitions subscribed by the Complainer, and the Decision of such Magistrate shall be final; or otherwise the Collector shall be and he is hereby authorized and empowered to prosecute for and recover all or any Part of such Assessment in arrear before the Sheriff's Small Debt Court, or otherwise according to Law; and no Misnomer, Mistake, or Informality committed in any Proceedings for Recovery of any Assessment under this Act shall prejudice the Recovery of such Assessment and Expenses, nor shall such Proceedings fall, lapse, cease, or abate by the Death, Resignation, or Removal of the Collector instituting the same, or by any change in the Persons holding Office as Commissioners, but it shall be lawful for the Collector for the Time to prosecute and follow forth Procedure commenced and carried on in the Name of any previous Collector in all respects as if such Procedure had been taken by himself: Provided always, that it shall not be competent for any Person to sue, nor for any Court of Law to entertain, any Action or Proceeding against the Commissioners, or the Collector or Officers or other Persons employed in executing any Warrant in reference to any Assessment under this Act, by reason of any Mistake, Informality, or Misnomer, if the Goods or other Effects seized or sold under such Warrant were *bonâ fide* the Property or in the lawful Possession of the Person actually liable in Payment of such Assessment under the Provisions of this Act.

And with respect to Private and District Assessments under this Act for Sewers, Drains, and private Improvements, be it enacted as follows:

*Private
and Dis-
trict Assess-
ments.*

LXXIII. That

Commissioners may assess for Private Improvement Expenses.

LXXIII. That where by this Act the Occupiers of any Premises are made liable to the Payment of any Expenses which are directed to be recoverable as Private Improvement Expenses, the Commissioners may charge the Occupiers of such Premises respectively with special Rates, over and above any other Rates to which such Persons may be liable under this Act, after the yearly Rate of Six Pounds Ten Shillings in the Hundred Pounds on the Cost of such private Improvements respectively, such special Rates to be payable during Thirty Years next after such Expenses have been incurred.

Where new Sewers are made Commissioners may make special Sewer Rates.

LXXIV. That whenever any new Sewer shall be made the Commissioners may charge the Occupiers of all Premises liable to contribute to the Rates for making the same with special Sewer Rates, over and above any other Rates to which such Persons may be liable under this Act, after the yearly Rate of Six Pounds Ten Shillings in the Hundred Pounds on the Cost of making such new Sewer, such special Sewer Rates to be payable during Thirty Years next after such expenses have been incurred.

Commissioners may make a general Sewer Rate distinct from other Rates.

LXXV. That the Commissioners may make a Sewer Rate, to be called the general Sewer Rate, distinct from any other Rate which they may be authorized to make under this Act, and the Money to be raised by such general Sewer Rates shall be applied in maintaining and clearing the Sewers, and all other Expenses connected with such Sewers not herein otherwise provided for, or which may not be fully defrayed by the special Sewer Rates, and for securing and paying off any Monies which may be borrowed for the Purposes aforesaid on Security of the special Sewer Rates under the Provisions of this Act, and the Interest of such Monies which the special Sewer Rates shall be insufficient to defray.

Sewer Rate to be of such Amount as to pay off Monies borrowed thereon in Thirty Years.

LXXVI. That the Commissioners shall from Time to Time make the general Sewer Rate of such Amount as will with the special Sewer Rates raise Money sufficient not only to defray the current Expenses of maintaining the Sewers that shall have been purchased or made, but also to keep down the Interest of any Monies borrowed on Security of the special and general Sewer Rates, and to pay off the Principal of such Monies within a Period not longer than Thirty Years.

Cases where Rates may be charged upon separate and distinct Districts.

LXXVII. That where by this Act the Commissioners are authorized to order that any Rate shall be levied by Assessments to be made for separate and distinct Districts, the Commissioners from Time to Time may order Assessments to be made in respect of the Rates authorized to be so levied upon separate and distinct Districts, and in such Case the Commissioners shall cause their Surveyor to describe and define in the Plan

Plan of the Burgh every such separate and distinct District for the Purposes of separate Rating as aforesaid, and so from Time to Time as Occasion shall require.

LXXVIII. That the Commissioners may in such Case, instead of making One Assessment for the whole Burgh, make separate and distinct Assessments, as Occasion shall require, for every such separate and distinct District respectively, and may appoint, if they see fit, Surveyors, Collectors, and other Officers for every such District, and they shall cause separate and distinct Accounts to be kept of all Monies collected and received under any Rate in each distinct District, and of all Payments and Disbursements in respect thereof, and they shall apply the Monies to be collected and received from each distinct District under any such Rate as aforesaid for the several Purposes to which the same may be lawfully applied under the Authority of this Act, but so nevertheless that each District shall, as near as may be, bear its own Expenses; and in case any such Expenses shall apply to or be incurred in respect of Two or more Districts, the same shall be apportioned and divided between such Districts in a fair and equitable Manner.

Rates to be levied on separate and distinct Districts.

LXXIX. That in all Cases when the Commissioners have paid or become liable to the Payment of any Expenses in constructing or laying any Drain or Pipe from any House or Building, or in providing any Privy, Ashpit, or Cesspool, for the Use of the Occupiers thereof, and when neither the Owner nor Occupier of such House or Building is willing to defray the said Expenses forthwith, the Commissioners shall lay Drainage Rates on the Occupiers of such Houses and Buildings respectively, to be continued for Six successive Years and no longer; and the Sum to be annually levied by every such Drainage Rate shall be One Fifth Part of the whole Expense incurred in constructing, laying, or providing such Drain, Privy, Ashpit, or Cesspool, as aforesaid, and shall be applied in satisfaction thereof; and the Amount of any such Drainage Rate may be added to any other Rate levied from the Occupiers of such Houses and Buildings, and recovered therewith by the like Ways and Means.

Drainage Rates.

LXXX. That every Occupier of any such House or Building at a Rent not less than the Rack Rent who has paid any such Drainage Rent shall be entitled to deduct Three Fourths of the Rate so paid by him from the Rent payable by him to his Landlord; and every Occupier at a Rent less than the Rack Rent who has paid any such Drainage Rate shall be entitled to deduct from the Rent payable by him to his Landlord such proportion of Three Fourths of the Rate so paid by him as the Rent payable by him bears to the Rack Rent.

Occupiers may deduct a Proportion of Drainage Rate from their Rent.

LXXXI. That,

Limitation
of Expen-
diture for
House
Drains, &c.

LXXXI. That, without the written consent of the Owner of any such House or Building, the Commissioners shall not be empowered to expend during any Term of Six successive Years more in the whole than One Year's Rack Rent thereof in constructing or laying any such Pipe or Drain, or in providing any such Privy, Cesspool, or Ashpit.

Assess-
ment how
to be im-
posed, and
how Ap-
peals to be
entered
and dis-
posed of.

LXXXII. That all Private and District Assessments leviable under this Act may be imposed and levied yearly, half-yearly, or at such other Periods as the Commissioners think fit, and shall be payable at such Times as they appoint; and at the Meeting imposing the same the Commissioners shall appoint a Day on which such Assessments shall be payable, and another Day on which Appeals by any Parties complaining that they have been improperly assessed may be lodged with the Clerk, and another Day or Days on which Appeals in reference to such Assessments shall be heard by the Commissioners; and Notice to each Party intended to be so assessed, stating the Particulars of the intended Assessment as regards such Party, and specifying the several Days fixed by the Commissioners as aforesaid, shall be sent by the Clerk through the Post Office at least Four Weeks preceding the Day which may be fixed for hearing the Appeal of such Party, and the decision of the Commissioners upon all such Appeals shall be final; and the Commissioners may rectify or alter any Private or District Assessment as regards any Person liable to be assessed therefor, by whom an Appeal may be taken by Letter to the Clerk, lodged with him on or before such Day for lodging Appeals as the Commissioners shall have fixed as aforesaid: Provided always, that it shall be lawful for any Person considering himself aggrieved by any Private or District Assessment imposed as aforesaid to appeal from the Decision of the Commissioners to the Sheriff in the Manner and to the Effect herein-after mentioned.

Recovery
of Private
and Dis-
trict As-
sessments.

LXXXIII. That as soon as may be after disposing of the Appeals against any Private or District Assessment, the Commissioners shall cause to be made up a Roll or Book of Assessment applicable thereto, and the same, or a Copy thereof, docketed and signed by any Two of the Commissioners, shall forthwith be delivered over to the Collector as the Rule for levying and collecting the said Assessments; and if the said Assessments shall not be paid when the same fall due, the Commissioners may authorize the Collector, by a Docquet to that Effect endorsed on the said Roll or Book of Assessment, and signed by any Two of their Number, to take legal Proceedings for Recovery of the same; and the Collector may present such Roll or Book of Assessment, or a Copy thereof, docketed,

docquetted, signed, and endorsed as aforesaid, to any One of the Magistrates of Police, or other Magistrates of the Burgh, and thereupon the whole Provisions of this Act in reference to the Recovery of any other Assessments by this Act authorized shall apply to and be available for the Recovery of such Private and District Assessments.

LXXXIV. That if any Surplus of the Assessment for general Purposes under this Act, or any Surplus of any other Assessment under this Act, shall remain at the End of any Year, after the whole Expenses for which such Assessment was imposed and levied shall have been paid or provided for, every such Surplus respectively shall be applied towards the same Purpose in the Year following, so that such Assessment may be proportionally diminished; and if any such Assessment for any Year shall not be sufficient for the Purpose for which it was imposed and levied, the Commissioners shall and they are hereby authorized and required to make Provision for the Payment of such Deficiency in the following and subsequent Years until the same shall be fully paid: Provided always, that the Rates hereby authorized to be levied shall in no One Year be exceeded.

Applica-
tion of sur-
plus As-
sessment.

And with respect to the Police of Burghs, and to the Appointment, Powers, Duties, and Privileges of Constables, be it enacted as follows:

Constables,
&c.

LXXXV. That the Commissioners shall from Time to Time appoint, at a fixed annual Salary, a Superintendent of Police, who shall not be removable or subject to have his Salary diminished by the Commissioners, unless with the Approbation of the Chief Magistrate of the Burgh and the Sheriff, or, in case of their differing in Opinion, of Her Majesty's Advocate for the Time being; and as often as the Commissioners shall fix the Number of Constables which they shall judge necessary for the Burgh, the said Superintendent of Police is hereby authorized and empowered to appoint proper Persons for the above Duty, and to direct their Distribution within the Burgh, and to remove them at Pleasure.

Appoint-
ment of
Superin-
tendent of
Police and
of Consta-
bles.

LXXXVI. That it shall be the Duty of the Superintendent of Police, and of the Constables to be appointed by him, to guard, patrol, and watch within the Burgh, according to the Regulations to be prescribed by the Superintendent of Police under the Control of the Commissioners, to bring before the Magistrates of Police all Persons who may be found within the Burgh actually committing any criminal, riotous, or disorderly Conduct or Act, or accused or suspected of having committed Crimes, Delinquencies, or Offences, of whatsoever Description, and at what Place and Period soever the same may have been

Duties of
Superin-
tendent of
Police and
Constables.

or are suspected to have been committed, whether the same be of such a Kind as can be competently tried before the Magistrates of Police, or be of a Nature requiring to be remitted for Trial before a higher Tribunal, or which, from having been committed beyond the Bounds of the Burgh, fall to be tried in another Jurisdiction, and to carry into full Effect the whole Provisions and Regulations herein contained, and any Rules, Regulations, or Bye Laws which may be made under this Act for the proper guarding, patrolling, and watching within the Burgh; and the Superintendent of Police and Constables shall at all Times afford their Aid and Assistance to the Magistrates of Police, and all other Judges and Magistrates having Jurisdiction within the Burgh, in all Matters relating to the Preservation of Peace and good Order, the Suppression of Nuisances and the Removal of Obstructions within the Burgh; and they shall give attendance at the Police Courts of the Burgh, and, when required, at all Meetings of the Commissioners or their Committees, and furnish them with all Explanations relating to Matters falling within their several Departments of Duty.

Powers
and Privi-
leges of
Superin-
tendent of
Police and
Constables.

LXXXVII. That the Superintendent of Police and Constables shall have all the Powers and Privileges appertaining for the Time being to any Constable by the Law of *Scotland*, as well as all the Powers and Privileges specially conferred on Constables by this Act; and the Superintendent of Police shall be a Constable within the meaning of this Act.

Constables
not to re-
sign with-
out Leave
or Notice.

LXXXVIII. That no Constable appointed under this Act shall resign his Office, or withdraw himself from the Duties thereof, unless expressly allowed so to do in Writing by the Commissioners or by the Superintendent of Police, or until after he has given to the Superintendent of Police One Month's Notice; and every Constable who so resigns or withdraws himself without such Leave or Notice shall be liable to forfeit all Arrears of Pay then due to him, or to a Penalty of not more than Five Pounds, or to Imprisonment for a Period not exceeding Fourteen Days.

Constables
dismissed
to deliver
up Accou-
trements.

LXXXIX. That every Constable appointed under this Act who is dismissed from or ceases to hold and exercise his Office shall forthwith deliver over to the Superintendent of Police, or to such Person and at such Time and Place as the Commissioners direct, all the Clothing, Accoutrements, Appointments, and other Necessaries which have been supplied to him for the Execution of his Duty, under pain of Imprisonment, with or without hard Labour, for any Time not exceeding One Month; and the Sheriff or any Magistrate may grant Warrant to search for and seize, for the Use of the Commissioners, all the Cloth-
ing,

ing, Accoutrements, Appointments, and other Necessaries not so delivered over, wherever the same are found.

XC. That every Person who, not being at the Time a Constable appointed under this Act, has in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who is not able satisfactorily to account for his Possession thereof, or who puts on the Dress or takes the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he is liable for such Offence, be liable to a Penalty not exceeding Ten Pounds.

Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables.

XCI. That every Constable who is guilty of any Neglect or Violation of his Duty as a Constable, and convicted thereof before the Sheriff or a Magistrate, shall be liable to a Penalty not exceeding Ten Pounds, the Amount of which Penalty may be deducted from the Salary or Wages due to him, or to become due to him, or, in the Discretion of the Sheriff or Magistrate before whom he is convicted, he may lawfully be imprisoned for any Time not exceeding One Month, with or without hard Labour.

Penalty for Neglect of Duty.

XCII. That the Commissioners may from Time to Time purchase or Rent any Buildings or Land, and convert such Buildings into, or build on such Land, Offices, Watch-houses, Lock-up Houses, Prisons and other Places necessary for the Purposes of this Act, with all proper Conveniences thereto, and may repair the same from Time to Time, and furnish and fit up the same, and employ proper Persons to take care thereof.

Power to provide Offices, Watch-houses, &c.

And with respect to the Police of Burghs, and to Obstructions and Nuisances in the Streets, be it enacted as follows:

Obstructions and Nuisances.

XCIII. That the Commissioners may from Time to Time make Orders for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets of the Burgh, in all Times of public Processions, Rejoicings, or Illuminations, and in any Case when the Streets are thronged or liable to be obstructed, and may also give Directions to the Constables for keeping Order and preventing any Obstruction of the Streets in the Neighbourhood of Theatres and other Places of public Resort; and every wilful Breach of any such Order shall be deemed an Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

Power to prevent Obstructions in the Streets during public Processions, &c.

XCIV. That if any Cattle be at any Time found at large

Power to
impound
stray Cat-
tle.

in any Street of the Burgh without any Person having the Charge thereof, any Constable or Officer of Police, or any Person residing within the Burgh, may seize and impound such Cattle, and may detain the same until the Owner thereof pay to the Commissioners a Penalty not exceeding Forty Shillings, besides the reasonable Expenses of impounding and keeping such Cattle.

Power to
sell stray
Cattle for
Penalty
and Ex-
penses.

XCV. That if the said Penalty and Expenses be not paid within Three Days after such impounding, the Person by whom such Cattle were seized and impounded as aforesaid, or other Person appointed by the Commissioners for that Purpose, may proceed to sell such Cattle or cause the same to be sold; but previous to such Sale Seven Days Notice thereof shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Cattle, if he be known, or if not, then Notice of such intended Sale shall be given by Advertisement, to be inserted Seven Days before such Sale in some Newspaper published or circulated within the Burgh in which the Seizure was made; and the Money arising from such Sale, after deducting the said Sums, and the Expenses aforesaid, and all other Expenses attending the impounding, advertising, keeping, and Sale of any such Cattle so impounded, shall be paid to the Commissioners, and shall be by them paid, on Demand, to the Owner of the Cattle so sold.

Penalty on
Persons
commit-
ting any of
the Of-
fences
herein
named.

XCVI. That every Person who in any Street, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, commits any of the following Offences, shall be liable to a Penalty not exceeding Forty Shillings for each Offence, or, in the Discretion of the Sheriff or Magistrate before whom he is convicted, may be committed to Prison, there to remain for a Period not exceeding Fourteen Days; and any Constable or other Officer appointed by virtue of this Act shall take into Custody, without Warrant, and forthwith convey before the Sheriff or a Magistrate, any Person who within his View commits any such Offence; (that is to say,)

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal; or exhibits in a Caravan or otherwise any Show or public Entertainment; or shoes, bleeds, or farries any Horse or Animal (except in Cases of Accident); or cleans, dresses, exercises, trains, or breaks or turns loose any Horse or Animal; or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary):

Every Person who suffers to be at large any unmuzzled
ferocious

ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal :

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State :

Every Person who, after public Notice given by any Sheriff or Magistrate directing Dogs to be confined on account of Suspicion of Canine Madness, suffers any Dog to be at large during the Time specified in such Notice :

Every Person who slaughters or dresses any Cattle, or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot :

Every Person having the Care of any Waggon, Cart, or Carriage who rides on the Shafts thereof; or who, without having Reins, and holding the same, rides upon such Waggon, Cart, or Carriage, or on any Animal drawing the same; or who is at such a Distance from such Waggon, Cart, or Carriage as not to have due Control over every Animal drawing the same; or who does not, in meeting any other Carriage, keep his Waggon, Cart, or Carriage to the Left or Near Side, or who in passing any other Carriage does not keep his Waggon, Cart, or Carriage on the Right or Off Side of the Road, (except in Cases of actual Necessity, or some sufficient Reason for Deviation;) or who, by obstructing the Street, wilfully prevents any Person or Carriage from passing him, or any Waggon, Cart, or Carriage under his Care :

Every Person who at One Time drives more than two Carts or Waggon, and every Person driving Two Carts or Waggon who has not the Halter of the Horse in the last Cart or Waggon securely fastened to the Back of the first Cart or Waggon, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet :

Every Person who rides or drives furiously any Horse or Carriage, or drives furiously any Cattle :

Every Person who causes any public Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burden, standing for Hire in any
Place

Place appointed for that Purpose by the Commissioners or other lawful Authority ;) and every Person who, by means of any Cart, Carriage, Sledge, Truck or Barrow, or any Animal, or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare :

Every Person who causes any Tree or Timber, or Iron Beam, to be drawn in or upon any Carriage, without having sufficient Means of safely guiding the same :

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway of any Street, or fastens any Horse or other Animal so that it stands across or upon any Footway :

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing-place, Stool, Bench, Stall, or Showboard on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over or along any such Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every part thereof from the Ground :

Every Person who places, hangs up, or otherwise exposes to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway :

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway.

Every Person who places any Line, Cord, or Pole across any Street, or hangs or places any Clothes thereon :

Every common Prostitute or Nightwalker loitering and importuning Passengers for the Purpose of Prostitution :

Every Person who wilfully and indecently exposes his Person :

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sings any profane or obscene Song or Ballad :

Every Person who wantonly discharges any Fire-arm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework :

Every

- Every Person who wilfully and wantonly disturbs any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door ; or who wilfully and unlawfully extinguishes the Light of any Lamp :
- Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow :
- Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime :
- Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so enclosed as to prevent Mischief to Passengers :) :
- Every Person who beats or shakes any Carpet, Rug, or Mat (except Rugs or Mats beaten or shaken before the Hour of Eight in the Morning :) :
- Every Person who fixes or places any Flower Pot or Box, or other heavy Article, in any upper Window, without sufficiently guarding the same against being blown down :
- Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger :
- Every Occupier of any House or other Building, or other Person, who orders or permits any Person in his Service to stand on the Sill of any Window, in order to clean, paint, or perform any other Operation upon the Outside of such Window, or upon any House or other Building, unless such Window be in the sunk or Basement story :
- Every Person who leaves open any Vault or Cellar, or the Entrance from any Street to any Cellar or Room underground, without a sufficient Fence or Handrail, or leaves defective the Door, Window, or other Covering of any Vault or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open, or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling therein to :
- Every Person who throws or lays any Dirt, Litter, or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, on any Street, or Sea Beach or Strand within the Boundaries of a Burgh, or causes any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill, into any Street : Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost, to prevent

vent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as soon as the Occasion for them ceases :

Every Person who keeps any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who keeps any Swine in or near any Street, so as to be a common Nuisance.

Penalty on
drunken
Persons,
&c. guilty
of riotous
or indecent
Behaviour.

XCVII. Every person drunk in any Street, and guilty of any riotous or indecent Behaviour therein, and also every Person guilty of any violent or indecent Behaviour in any Police Office or any Police Station House within the Burgh, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence, or, in the Discretion of the Sheriff or Magistrate before whom he is convicted, to Imprisonment for a Period not exceeding Seven Days.

Fires.

And with respect to the Police of Burghs and to Fires, be it enacted as follows :

Penalty
for wil-
fully set-
ting Chim-
neys on
fire.

XCVIII. That every Person who wilfully sets or causes to be set on fire any Chimney within the Burgh shall be liable to a Penalty not exceeding Five Pounds : Provided always, that nothing herein contained shall exempt the Person so setting or causing to be set on fire any Chimney from Liability to be indicted or prosecuted therefor before any Criminal Court.

Penalty
for acci-
dentally
allowing
Chimneys
to catch
fire.

XCIX. That if any Chimney within the Burgh accidentally catch or be on fire, the Person occupying or using the Premises in which such Chimney is situated shall be liable to a Penalty not exceeding Ten Shillings : Provided always, that such Forfeiture shall not be incurred if such Person prove to the Satisfaction of the Sheriff or Magistrate before whom the Case is heard that such Fire was in nowise owing to Omission, Neglect, or Carelessness of himself or Servant.

Fire En-
gines may
be pro-
vided and
Firemen
employed
by the
Commis-
sioners.

C. That the Commissioners may purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Appurtenances for such Engines, and such Fire Escapes and other implements for Safety or Use in case of Fire, and may purchase, keep, or hire such Horses for drawing such Engines, as they think fit, and may build, provide, or hire Places for keeping such Engines with their Appurtenances, and may employ a proper Number of Persons to act as Firemen, and may make such Rules for their Regulation as they think proper, and give such Firemen and other Persons such Salaries and such Rewards for their Exertions in Cases of Fire as they think fit.

CI. That

CI. That the Commissioners may send such Engines, with their Appurtenances, and the said Firemen, beyond the Boundaries of the Burgh, for extinguishing Fire in the Neighbourhood of the Burgh; and the Owner of the Premises where such Fire shall have happened shall in such Case defray the actual Expense which may be thereby incurred, and shall also pay to the Commissioners a reasonable Charge for the Use of such Engines with their Appurtenances, and for the Attendance of such Firemen; and in Case of any Difference between the Commissioners and the Owner of such Premises, the Amount of the said Expenses and Charge, as well as the Propriety of sending the said Engines and Firemen as aforesaid for extinguishing such Fire (if the Propriety thereof be disputed), shall be determined by the Sheriff, whose Decision shall be final; and the Amount of the said Expenses and Charge shall be recovered by the Commissioners as Damages.

And with respect to the Police of Burghs and to Places of Public Resort, be it enacted as follows:—

CII. That every Victualler or Keeper of any Public House, or Person licensed to sell Wine, Spirits, Beer, Cider, or other fermented or distilled Liquors by Retail, to be drunk or consumed on the Premises, within the Burgh, who knowingly harbours or entertains, or suffers to remain in his Public House or Place wherein he carries on his Business, any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings.

CIII. That every Person keeping any House, Shop, Room, or other Place of Public Resort within the Burgh for the Sale or Consumption of Refreshments of any Kind, who knowingly suffers common Prostitutes or reputed Thieves to assemble at and continue in his Premises, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

CIV. Every Person who within the Burgh keeps or uses or acts in the Management of any House, Room, Pit, or other Place for the Purpose of fighting, baiting, or worrying any Animals, shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Sheriff or Magistrate before whom he is convicted, to Imprisonment, with or without hard Labour, for a Time not exceeding One Month; and the Commissioners may, by Order in Writing, authorize the Superintendent of Police, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall

Fire Police permitted to go beyond the Limits of the Burgh in certain Cases.

Places of Public Resort.

Penalty on Victuallers entertaining Constables while on Duty.

Penalty for harbouring disorderly Persons.

Penalty on Persons keeping Places for baiting Animals; and on Persons found therein.

shall be liable to a Penalty not exceeding Five Shillings; and a Conviction for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequence to which he is liable for the Nuisance thereby occasioned.

*Hackney
Carriages.*

And with respect to the Police of Burghs and to Hackney Carriages, be it enacted as follows:—

*Hackney
Carriages
to be
licensed.*

CV. That the Commissioners may from Time to Time license to ply for Hire, within Five Miles from the General Post Office of the Burgh, such Number of Hackney Coaches or Carriages of any Kind or Description adapted to the Carriage of Persons as they think fit.

*What to be
Hackney
Carriages.*

CVI. That every wheeled Carriage, whatever may be its Form or Construction, used in standing or plying for Hire in any Street within such prescribed Distance, and every Carriage standing upon any Street within such prescribed Distance, having thereon any numbered Plate required by this Act to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, shall be deemed to be a Hackney Carriage within the Meaning of this Act; and in all Proceedings at Law or otherwise the Term "Hackney Carriage" shall be sufficient to describe any such Carriage: Provided always, that no Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and duly licensed for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches, shall be deemed to be a Hackney Carriage within the Meaning of this Act.

*Fee to be
paid for
Licences.*

CVII. That for every such Licence there shall be paid to the Clerk or other Person appointed by them to receive the same, such Sum as the Commissioners direct, not exceeding Five Shillings.

*Persons
applying
for Licence
to sign a
Requisition
for same.*

CVIII. That before any such Licence is granted a Requisition for the same, in such Form as the Commissioners may from Time to Time provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage in respect of which such Licence is applied for, and in every such Requisition shall be truly stated the Name and Surname and Place of Abode of the Person applying for such Licence, and of every Proprietor or part Proprietor of such Carriage, or Person concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of such Carriage; and any Person who, on applying for such Licence, states in such Requisition the Name of any Person who is not a Proprietor or part Proprietor
of

of such Carriage, or who is not concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, and also any Person who wilfully omits to specify truly in such Requisition as aforesaid the Name of any Person who is a Proprietor or part Proprietor of such Carriage, or who is concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, shall be liable to a Penalty not exceeding Ten Pounds.

CIX. That in every such Licence shall be specified the Name and Surname and Place of Abode of every Person who is a Proprietor or part Proprietor of the Hackney Carriage in respect of which such Licence is granted, or who is concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of any such Carriage, and also the Number of such Licence, which shall correspond with the Number to be painted or marked on the Plates to be fixed on such Carriage, together with such other Particulars as the Commissioners think fit.

What shall bespecified in the Licence.

CX. That every Licence shall be made out by the Clerk of the Commissioners, and duly entered in a Book to be provided by him for that Purpose, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Proprietor or Driver or Person attending such Carriage; and any Person may at any reasonable Time inspect such Book without Fee or Reward.

Licences to be registered.

CXI. That every Licence so to be granted shall be signed by Two or more of the Commissioners, and shall not include more than One Carriage so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next General Licensing Meeting, in case any General Licensing Day be appointed by the Commissioners.

Licence to be in force for One Year only.

CXII. That so often as any Person named in any such Licence as the Proprietor or One of the Proprietors, or as being concerned either solely or in Partnership with any Person in the keeping, employing, or letting to Hire of any such Carriage, changes his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Commissioners, specifying in such Notice his New Place of Abode; and he shall at the same Time produce such Licence at the Office of the Commissioners, who shall, by their Clerk, or some other Officer, endorse thereon and sign a Memorandum, specifying the Particulars of such Change; and any Person named in any such Licence as aforesaid as the Proprietor or One of the Proprietors of any Hackney Carriage, or as being concerned as aforesaid, who changes his Place of Abode, and neglects or wilfully omits to give Notice of such

Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

Change,

Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon within the Time and in the Manner limited and directed by this Act, shall be liable to a Penalty not exceeding Forty Shillings.

Penalty for
plying for
Hire with-
out a Li-
cence.

CXIII. That if the Proprietor or part Proprietor of any Carriage, or any Person so concerned as aforesaid, permits the same to be used as a Hackney Carriage plying for Hire within such prescribed Distance without having obtained a Licence as aforesaid for such Carriage, or during the Time that such Licence is suspended as herein-after provided, or if any Person be found driving, standing, or plying for Hire with any Carriage within such prescribed Distance, for which such Licence as aforesaid has not been previously obtained, or without having the Number of such Carriage corresponding with the Number of the Licence openly displayed on such Carriage, every such Person so offending shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Drivers
not to act
without
first ob-
taining a
Licence.

CXIV. That no Person shall act as Driver of any Hackney Carriage licensed in pursuance of this Act to ply for Hire within such prescribed Distance without first obtaining a Licence from the Commissioners, which Licence shall be registered by the Clerk to the Commissioners, and a Fee of One Shilling shall be paid for the same; and every such Licence shall be in force until the same is revoked, except during the Time that the same may be suspended as after mentioned.

Penalty on
Drivers
acting
without
Licence.

CXV. That if any Person acts as such Driver as aforesaid without having obtained such Licence or during the Time that his Licence is suspended, or if he lend or part with his Licence, except to the Proprietor of the Hackney Carriage, or if the Proprietor of any Hackney Carriage employ any Person as the Driver thereof who has not obtained such Licence, or during the Time that his Licence is suspended as herein-after provided, every such Driver and every such Proprietor shall for every such Offence respectively be liable to a Penalty not exceeding Twenty Shillings.

Proprietor
to retain
Licence of
Drivers
when in
his Em-
ploy, and
to produce
the same
when sum-
moned.

CXVI. That in every Case in which the Proprietor of any Hackney Carriage permits or employs any licensed Person to act as the Driver thereof, such Proprietor shall cause to be delivered to him, and shall retain in his Possession, the Licence of such Driver while such Driver remains in his Employ; and in all Cases of Complaint, where the Proprietor of a Hackney Carriage is summoned to attend before the Sheriff or a Magistrate, or to produce the Driver, the Proprietor so summoned shall also produce the Licence of such Driver, if he be then in his Employ; and if any Driver complained of be adjudged guilty of the Offence alleged against him, such Sheriff or

Magis-
trates may
endorse

Magistrate

Magistrate shall make an Endorsement upon the Licence of such Driver, stating the Nature of the Offence and the Amount of the Penalty inflicted; and if any such Proprietor neglect to have delivered to him and to retain in his Possession the Licence of any Driver while such Driver remains in his Employ, or if he refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Convictions upon Licence.

Penalty on Proprietors for Neglect.

CXVII. That when any Driver leaves the Service of the Proprietor by whom he is employed without having been guilty of any Misconduct, such Proprietor shall forthwith return to such Driver the Licence belonging to him; but if such Driver have been guilty of any Misconduct, the Proprietor shall not return his Licence, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver to appear before the Sheriff or a Magistrate to answer the said Complaint; and such Sheriff or Magistrate, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint, and if upon Inquiry it appear that the Licence of such Driver has been improperly withheld, such Sheriff or Magistrate shall direct the immediate Re-delivery of such Licence, and award such Sum of Money as he thinks proper to be paid by such Proprietor to such Driver by way of Compensation.

Proprietor to return Licence to Drivers when quitting his Service if they behave well, if otherwise, Proprietor to summon them.

Compensation in case of Licence being improperly withheld.

CXVIII. That the Commissioners may, upon the Conviction for the Second Time of the Proprietor or Driver of any Hackney Carriage for any Offence under the Provisions of this Act with respect to Hackney Carriages, or any Bye Law made in pursuance thereof, suspend or revoke, as they deem right, the Licence of any such Proprietor or Driver.

Licences to be suspended or revoked for Misconduct.

CXIX. That no Hackney Carriage shall be used or employed or let to Hire, or shall stand or ply for Hire, within such prescribed Distance, unless the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in Form following, (that is to say,) "To carry Persons," be painted on a Plate placed on some conspicuous Place on the Outside of such Carriage, and in legible Letters, so as to be clearly distinguishable from the Colour of the Ground whereon the same are painted, One Inch in Length, and of a proportionate Breadth; and the Driver of any Hackney Carriage shall not be required to carry in or by such Hackney Carriage a greater Number of Persons than the Number painted thereon.

Number of Persons to be carried in a Hackney Carriage to be painted thereon.

CXX. That if the Proprietor of any Hackney Carriage permit the same to be used, employed, or let to Hire, or if any Person stand or ply for Hire with such Carriage, without having

Penalty for Neglect or for Refusal

ing

to carry
the pre-
scribed
Number.

ing the Number of Persons to be carried thereby painted and exhibited in manner aforesaid, or if the Driver of any Hackney Carriage refuse, when required by the Hirer thereof, to carry in or by such Hackney Carriage the Number of Persons painted thereon, or any less Number, every Proprietor or Driver so offending shall be liable to a Penalty not exceeding Forty Shillings.

Penalty on
Driver for
refusing to
drive.

CXXI. That any Driver of a Hackney Carriage standing at any of the Stands for Hackney Carriages appointed by the Commissioners, or in any Street, who refuses or neglects, without reasonable Excuse, to drive such Carriage to any Place within such prescribed Distance, or any Distance to be appointed by any Bye Law of the Commissioners, not exceeding such prescribed Distance, to which he is directed to drive by the Person hiring or wishing to hire such Carriage, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty
for de-
manding
more than
the Sum
agreed for,
though less
than the
legal Fare.

CXXII. That if the Proprietor or Driver of any Hackney Carriage, or if any other Person on his Behalf, agree beforehand with any Person hiring such Hackney Carriage to take for any Job a Sum less than the Fare allowed by this Act, or any Bye Law made thereunder, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if he exact or demand for such Job more than the Fare so agreed upon.

Agreement
to pay
more than
the legal
Fare not
to be bind-
ing, and
Sum paid
beyond the
proper
Fare may
be recov-
ered back.

CXXIII. That no Agreement whatever made with the Driver, or with any Person having or pretending to have the Care of any Hackney Carriage, for the Payment of more than the Fare allowed by any Bye Law made under this Act, shall be binding on the Person making the same, and any such Person may, notwithstanding such Agreement, refuse, on discharging such Hackney Carriage, to pay any Sum beyond the Fare allowed as aforesaid; and if any Person actually pay to the Driver of any Hackney Carriage, whether in pursuance of any such Agreement or otherwise, any Sum exceeding the Fare to which such Driver was entitled, the Person paying the same shall be entitled, on Complaint made against such Driver before the Sheriff or a Magistrate, to recover back the Sum paid beyond the proper Fare, and moreover such Driver shall be liable to a Penalty for such Exaction not exceeding the Sum of Forty Shillings; and in default of the Repayment by such Driver of such Excess of Fare, or of Payment of the said Penalty, the Sheriff or Magistrate shall forthwith commit such Driver to Prison, there to remain for any Time not exceeding One Month, unless the said Excess of Fare and the said Penalty be sooner paid.

CXXIV. That

CXXIV. That if the Proprietor or Driver of any Hackney Carriage, or if any other Person on his Behalf, agree with any Person to carry in or by such Hackney Carriage Persons not exceeding in Number the Number so painted on such Carriage as aforesaid, for a Distance to be in the Discretion of such Proprietor or Driver, and for a Sum agreed upon, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if the Distance which he carries such Persons be under that to which they were entitled to be carried for the Sum so agreed upon according to the Fare allowed by any Bye Law made under this Act.

Driver to carry, under an Agreement for a discretionary Distance, the Distance to which Hirer is entitled for the Fare.

CXXV. That every Proprietor or Driver of any Hackney Carriage who is convicted of taking as a Fare a greater Sum than is authorized by any Bye Law made under this Act shall be liable to a Penalty not exceeding Forty Shillings, and such Penalty may be recovered before the Sheriff or a Magistrate; and in the Conviction of such Proprietor or Driver an Order may be included for Payment of the Sum so overcharged, over and above the Penalty and Costs, and such Overcharge shall be returned to the Party aggrieved, whose Evidence shall be admissible in Proof of such Offence.

Overcharge by Hackney Coachmen, &c. to be included in Conviction, and returned to aggrieved Party.

CXXVI. That any Proprietor or Driver of any Hackney Carriage which is hired who permits or suffers any Person to be carried in or upon or about such Hackney Carriage during such Hire, without the express Consent of the Person hiring the same, shall be liable to a Penalty not exceeding Twenty Shillings.

Penalty for permitting Persons to ride without Consent of the Hirer.

CXXVII. That no Person authorized by the Proprietor of any Hackney Carriage to act as Driver of such Carriage shall suffer any other Person to act as Driver of such Carriage without the Consent of the Proprietor thereof, and no Person, whether licensed or not, shall act as Driver of any such Carriage without the Consent of the Proprietor; and any Person so suffering another Person to act as Driver, and any Person so acting as Driver, without such Consent as aforesaid, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

No Person to act as Driver of any Carriage without the Consent of the Proprietor.

CXXVIII. That if the Driver or any other Person having or pretending to have the Care of any Hackney Carriage be intoxicated while driving, or if any such Driver or other Person by wanton and furious Driving, or by any other wilful Misconduct, injure or endanger any Person in his Life, Limbs, or Property, he shall be liable to a Penalty not exceeding Five Pounds, and in default of Payment thereof, the Sheriff or Magistrate before whom he is convicted of such Offence may commit

Penalty on Drivers misbehaving.

commit him to Prison, there to remain for any Time not exceeding Two Months.

Penalty for
leaving
Carriages
unattended
at Places
of public
Resort.

CXXIX. That if the Driver of any Hackney Carriage leave it in any Street or at any Place of public Resort or Entertainment, whether it be hired or not, without some one proper to take care of it, any Constable may drive away such Hackney Carriage, and deposit it, and the Horse or Horses harnessed thereto, at some neighbouring Livery Stable or other Place of safe Custody; and such Driver shall be liable to a Penalty not exceeding Twenty Shillings for such Offence; and in default of Payment of the said Penalty upon Conviction, and of the Expenses of taking and keeping the said Hackney Carriage and Horse or Horses, the same, together with the Harness belonging thereto, or any of them, shall be sold by Order of the Sheriff or Magistrate before whom such Conviction is made; and after deducting from the Produce of such Sale the Amount of the said Penalty, and of all Costs and Expenses, as well of the Proceedings before such Sheriff or Magistrate as of the taking, keeping, and Sale of such Hackney Carriage, and of such Horse or Horses and Harness, the Surplus (if any) of the said Produce shall be paid to the Proprietor of such Hackney Carriage.

Damage
done by
Driver
may be
recovered
from the
Proprietor.

CXXX. That in every Case in which any Hurt or Damage has been caused to any Person or Property as aforesaid by the Driver of any Carriage let to Hire, the Sheriff or Magistrate before whom such Driver has been convicted may direct that the Proprietor of such Carriage shall pay such Sum not exceeding Five Pounds as appears to such Sheriff or Magistrate a reasonable Compensation for such Hurt or Damage; and every Proprietor who pays any such Compensation as aforesaid may recover the same from the Driver; and such Compensation shall be recoverable from such Proprietor, and by him from such Driver, as Damages.

Improper-
ly standing
with Car-
riage, re-
fusing to
give way
to, or ob-
structing
any other
Driver, or
depriving
him of his
Fare.

CXXXI. That any Driver of any Hackney Carriage who suffers the same to stand for Hire across any Street or along-side of any other Hackney Carriage, or who refuses to give way, if he conveniently can, to any other Carriage, or who obstructs or hinders the Driver of any other Carriage in taking up or setting down any Person into or from such other Carriage, or who wrongfully in a forcible Manner prevents or endeavours to prevent the Driver of any other Hackney Carriage from being hired, shall be liable to a Penalty not exceeding Twenty Shillings.

Compensa-
tion may

CXXXII. That if the Driver of any Hackney Carriage be summoned or brought before the Sheriff or any Magistrate to

answer

answer any Complaint or Information touching or concerning any Offence alleged to have been committed by such Driver against the Provisions of any Bye Law made under this Act, and such Complaint or Information be afterwards withdrawn or quashed or dismissed, or if such Driver be acquitted of the Offence charged against him, such Sheriff or Magistrate, if he think fit, may order the Complainer or Informer to pay to such Driver such Compensation for his Loss of Time in attending such Sheriff or Magistrate touching or concerning such Complaint or Information as to such Sheriff or Magistrate seems reasonable; and in default of Payment of such Compensation such Sheriff or Magistrate may commit such Complainer or Informer to Prison for any Time not exceeding One Month, unless the same shall be sooner paid.

be awarded to Drivers for Loss of Time in attending to answer Complaints not substantiated.

CXXXIII. That if any Person refuse to pay, on Demand, to any Proprietor or Driver of any Hackney Carriage, the Fare allowed by any Bye Law made under this Act, such Fare may, together with Costs, be recovered before the Sheriff or any Magistrate as a Penalty.

Penalty for refusing to pay the Fare.

CXXXIV. That any Person using any Hackney Carriage plying under a Licence granted by virtue of this Act, who wilfully injures the same shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage reasonable Satisfaction for the Damage sustained by the same; and such Satisfaction shall be ascertained by the Sheriff or Magistrate before whom the Conviction takes place, and shall be recovered by the same Means as the Penalty.

Penalty for damaging Carriage.

CXXXV. That the Commissioners may from Time to Time (subject to the Restrictions of this Act) make Bye Laws for all or any of the Purposes following; (that is to say,)

Commissioners may make Bye Laws for regulating Hackney Carriages.

For regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within such prescribed Distance in their several Employments, and determining whether such Drivers shall wear any and what Badges, and for regulating the Hours within which they may exercise their Calling:

For regulating the Manner in which the Number of each Carriage, corresponding with the Number of its Licence, shall be displayed:

For regulating the Number of Persons to be carried by Hackney Carriages, and in what Manner such Number is to be shown on such Carriage, and what Number of Horses or other Animals is to draw the same, and the placing of Check Strings to the Carriages, and the holding of the same by the Driver, and how Hackney Carriages are to be furnished or provided:

For

For fixing the Stands of Hackney Carriages, and the Distance to which they may be compelled to take Passengers, not exceeding such prescribed Distance :

For fixing the Rates or Fares, as well for Time as Distance, to be paid for Hackney Carriages within such prescribed Distance, and for securing the due Publication of such Fares :

For securing the safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages, and fixing the Charges to be made in respect thereof.

Bathing.

And with respect to the Police of Burghs, and to public Bathing, be it enacted as follows :

Bathing
Machines
and bath-
ing.

CXXXVI. That where any Part of the Sea-shore or Strand of any River used as a public Bathing-place is within the Burgh, the Commissioners may make Bye Laws for the following Purposes ; (that is to say,)

For fixing the Stands of Bathing Machines on the Sea-shore or Strand, and the Limits within which Persons of each Sex shall be set down for bathing, and within which Persons shall bathe :

For regulating the Occupation of such Stands of Bathing Machines, and apportioning the same temporarily among the Owners of such Machines for the Time :

For preventing any indecent Exposure of the Persons of the Bathers :

For regulating the Manner in which and the Times at which the Bathing Machines shall be used, and the Charges to be made for the same :

For ensuring that the Bathing Machines shall be kept in a proper State of Repair :

For regulating the Distance at which Boats and Vessels let to hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within such prescribed Limits.

And with respect to the Police of Burghs, and to Precautions during the Construction and Repair of Sewers, Streets, and Houses, be it enacted as follows :

CXXXVII. That the Commissioners shall during the Construction or Repair of any Streets, and during the Construction or Repair of any Sewers or Drains, take proper Precaution for guarding against Accident, by shoring-up and protecting the adjoining Houses, and shall cause such Bars or Chains to be fixed across or in any of the Streets, to prevent the Passage of Carriages and Horses while such Works are carried on, as to them shall seem proper ; and the Commissioners shall cause any Sewer or Drain or other Works, during the Construction or Repair thereof by them, to be lighted and guarded

*Precau-
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Bars to be
erected
across
Streets
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pairs or
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Lights
placed at
Night.

guarded during the Night, so as to prevent Accidents; and every Person who takes down, alters, or removes any of the said Bars or Chains, or extinguishes any Light, without the Authority or Consent of the Commissioners, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

CXXXVIII. That every Person intending to build or take down any Building within the Burgh, or to cause the same to be so done, or to alter or repair the outward Part of any such Building, or to cause the same to be so done, where any Street or Footway will be obstructed or rendered inconvenient by means of such Work, shall before beginning the same cause sufficient Hoards or Fences to be put up, in order to separate the Building where such Works are being carried on from the Street, with a convenient Platform and Handrail, if there be Room enough, to serve as a Footway for Passengers, outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition, to the Satisfaction of the Commissioners, during such Time as the public Safety or Convenience requires, and shall in all Cases in which it is necessary in order to prevent Accidents cause the same to be sufficiently lighted during the Night; and every such Person who fails to put up such Fence or Hoard, or Platform with such Handrail as aforesaid, or to continue the same respectively standing and in good Condition as aforesaid during the Time aforesaid, or who does not, while the said Hoard or Fence is standing, keep the same sufficiently lighted during the Night, or who does not remove the same, when directed by the Commissioners, within a reasonable Time afterwards, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

Hoards to be set up during Repairs.

CXXXIX. That when any Building Materials, Rubbish, or other Things are laid, or any Hole made, in any of the Streets, whether the same be done by Order of the Commissioners or not, the Person causing such Materials or other Things to be so laid, or such Hole to be made, shall at his own Expense cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sun-setting to Sun-rising while such Materials or Hole remain; and such Person shall, at his own Expense, cause such Materials or other Things and such Hole to be sufficiently fenced and enclosed until such Materials or other Things are removed or the Hole filled up or otherwise made secure; and every such Person who fails so to light, fence, or enclose such Materials or other Things, or such Hole, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and

Penalty for not lighting Deposits of Building Materials or Excavations.

a further Penalty not exceeding Forty Shillings for every Day while such Default is continued.

Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time.

CXL. That in no Case shall any such Building Materials or other Things, or such Hole, be allowed to remain for an unnecessary Time, under a Penalty not exceeding Five Pounds to be paid for every such Offence by the Person who causes such Materials or other Things to be laid or such Hole to be made, and a further Penalty not exceeding Forty Shillings for every Day during which such Offence is continued after the Conviction for such Offence; and in any such Case the Proof that the Time has not exceeded the necessary Time shall be upon the Person so causing such Materials or other Things to be laid, or causing such Hole to be made.

Dangerous Places to be repaired or enclosed.

CXLI. That if any Building or Hole or any other Place near any Street be, for Want of sufficient Repair, Protection, or Enclosure, dangerous to the Passengers along such Street, the Commissioners shall cause the same to be repaired, protected, or enclosed, so as to prevent Danger therefrom; and the Expenses of such Repair, Protection, or Enclosure shall be repaid to the Commissioners by the Owner of the Premises so repaired, protected, or enclosed, and shall be recoverable from him as Damages.

Cleansing Streets.

And with respect to the Police of Burghs, and to cleansing the Streets, be it enacted as follows:

Commissioners to cause Streets to be cleansed, and Dust and Ashes to be removed from the Houses.

CXLII. That the Commissioners shall cause all the Streets, together with the Foot Pavements, from Time to Time to be properly swept and cleansed, and all Dust and Filth of every Sort found thereon to be collected and removed, and shall cause all the Dust, Ashes, and Rubbish to be carried away from the Houses and Premises of the Inhabitants of the Burgh, at convenient Hours and Times, and shall cause the Privies and Cesspools within the Burgh to be from Time to Time emptied and cleansed in a sufficient and proper Manner: Provided always, that the Occupier of any House or Premises within the Burgh may keep and remove any such Soil, Ashes, or Rubbish as shall be made on his own Premises, and shall be kept for Manure, so that the same be not a Nuisance to the Inhabitants residing near such Premises, and that the same be removed at such Times and in such Manner as shall be approved of by the Commissioners.

Occupiers to cause Footways to be swept. Penalty for Neglect.

CXLIII. That the Occupiers of Premises within or adjoining the Streets shall once in every Day (*Sundays* excepted) before Eight of the Clock in the Forenoon of each Day, cause to be swept and cleansed the Footways and Pavements in front or at the Side of their respective Premises; and every such Occupier making default herein shall for every such Offence be liable to a Penalty not exceeding Five Shillings; and for the

the Purpose aforesaid, when any House shall be let in separate Apartments, the Person letting such Apartments shall be deemed the Occupier.

CXLIV. That the Commissioners may compound, for such Time as they think fit, with any Person liable to sweep or cleanse any Footway under the Provisions of this Act, for sweeping and cleansing the same in the Manner directed by this Act.

Commissioners may compound for sweeping Footways.

CXLV. That the Dust and Filth which the Commissioners shall cause to be collected from the Streets, Privies, Sewers, and Cesspools, and all the Dust, Ashes, and Rubbish which the Commissioners shall cause to be collected and carried away from the Houses or Premises, or elsewhere within the Burgh, shall be the Property of the Commissioners, and the Commissioners shall have Power to sell and dispose of the same as they think proper, and the Money arising from the Sale thereof shall be applied towards the Purposes of this Act.

Dust, &c. collected to be vested in the Commissioners.

CXLVI. That the Commissioners may from Time to Time provide Places convenient for the Deposit of the Night Soil, Dung, Ashes, and other Filth and Rubbish to be collected under the Authority of this Act, and for stabling and keeping all Horses, Carts, Implements, and other Things required for the Purposes of this Act; and for any of such Purposes the Commissioners may purchase or hire any Lands or Buildings by them considered necessary, or they may cause any new Building to be made upon any Lands which shall be purchased or hired by them under the Provisions of this Act.

Commissioners may provide Lands, &c. for deposit of Soil and Materials.

CXLVII. That the Commissioners, if they think fit so to do, may cause any Number of moveable or fixed Dust Boxes or other Conveniences, wherein Dust and Ashes may be deposited until removed and carried away, to be provided and placed in such of the Streets as they shall judge necessary, and may require the Occupiers of Premises within such Streets to cause all their Dust and Ashes to be deposited daily in the said Dust Boxes or other Conveniences; and every Person who after such Dust Boxes or Conveniences have been so provided shall deposit or cause or permit to be deposited any Ashes or Dust in any Part of any Street, except in some of such Dust Boxes or other Conveniences, and every Person who shall lay or cause to be laid any Dirt, Dung, or other Filth in any Part of any Street, shall for every such Offence forfeit and pay a Sum not exceeding Ten Shillings.

Dust Boxes to be erected by Commissioners.

CXLVIII. That the Commissioners may erect such public Water-closets, Privies, and Urinals within the Burgh and in such Situations as they think fit, so as not to create a Nuisance, and may defray the Expense thereof and of keeping the same in good Order, and may make Compensation for any Injury

Commissioners may cause public Conveniences to be erected.

Injury occasioned to any Person by the Erection thereof, out of the Monies to be levied under this Act.

Commissioners to cause Streets to be watered, and Wells, Pumps, &c. to be provided.

CXLIX. That the Commissioners shall, as often as Occasion requires, cause the Streets to be watered, and they may contract with any Water Company or other Party for a Supply of Water for that Purpose, and for cleansing the Sewers and Drains; and, if necessary, they may place Pipes, Conduits, and Pumps in any of the Streets, or provide any other Works and Engines proper for that Purpose, and remove and alter the same when and as they think proper.

Commissioners to appoint Scavengers.

CL. That the Commissioners shall appoint and employ a sufficient Number of Scavengers, or contract with any Company or other Person to employ Scavengers, for sweeping, cleansing, and watering the Streets, and for removing all Dust, Ashes, Rubbish, and Filth therefrom, and from the Houses and other Premises therein, and for emptying Privies and Cesspools, in the Manner by this Act directed; and such Scavengers shall, on such Days, and at such Hours, and in such Manner as the Commissioners shall from Time to Time appoint, sufficiently execute all such Works and Duties as they have respectively contracted or been employed to perform; and every such Contractor who fails to sweep and properly cleanse or water any Street which he has contracted to sweep, cleanse, or water, or who fails to clean out and empty any Privy, Cesspool, or Sewer which he has contracted to clean out and empty, at the Time and in the Manner appointed by the Commissioners, or to collect or remove any Dirt, Ashes, or Rubbish which he has contracted to remove, at the Time and in the Manner prescribed by the Commissioners for that Purpose, or who lays any of such Soil, Dust, Ashes, Rubbish, or Filth, in any other Places than such as are appointed by the Commissioners for that Purpose, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty for obstructing Scavengers.

CLI. That every Occupier of any Premises within the Burgh, and every other Person who refuses to permit the said Scavengers to remove such Dirt, Ashes, or Rubbish, as by this Act they are authorized to do, or who obstructs the said Scavengers in the Performance of their Duty, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Persons other than Scavengers removing Dirt.

CLII. That every Person, other than the Person employed by the Commissioners, or by some Person contracting with the Commissioners for that Purpose, who collects or carries away any Night Soil, Dust, Ashes, Rubbish, or Filth by this Act directed to be removed by Persons employed by the Commissioners, from any Street or public Place within the Burgh, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

CLIII. That

CLIII. That the Commissioners may from Time to Time fix the Hours within which only it shall be lawful to empty Privies or remove offensive Matter within the Burgh; and when the Commissioners have fixed such Hours, and given public Notice thereof, every Person who within the Burgh empties or begins to empty any Privy, or removes along any Thoroughfare within the Burgh any offensive Matter, at any Time except within the Hours so fixed, and also every Person who at any Time, whether such Hours have been fixed by the Commissioners or not, uses for any such Purpose any Cart or Carriage not having a Covering proper for preventing the Escape of the Contents of such Cart or of the Stench thereof, or who wilfully slops or spills any such offensive Matter in the Removal thereof, or who does not carefully sweep and cleanse every Place in which any such offensive Matter has been placed or unavoidably slopped or spilled, shall be liable to a Penalty not exceeding Forty Shillings, and in Default of the Apprehension of the actual Offender the Driver or Person having the care of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender.

Penalty for conveying offensive Matter at improper Times.

And with respect to the Police of Burghs, and to the Prevention of Nuisances, be it enacted as follows:

Nuisances.

CLIV. That no Person shall suffer any waste or stagnant Water to remain in any Cellar or other Place within any Premises belonging to or occupied by him within the Burgh, so as to be a Nuisance; and every Person who so suffers any such Water to remain for Forty-eight Hours after receiving Notice from the Commissioners to remove the same, and every Person who allows the Contents of any Privy or Cesspool to overflow or soak therefrom, to the Annoyance of the Occupiers of any adjoining Property, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings, and to a further Penalty not exceeding Five Shillings for every Day during which such Nuisance continues; and the Commissioners may drain and cleanse out any stagnant Pools, Ditches, or Ponds of Water within the Burgh, and abate any such Nuisance as aforesaid, and for that Purpose may enter, by their Officers and Workmen, into and upon any Premises within the Burgh at all reasonable Times, and do all necessary Acts for any of the Purposes aforesaid; and the Expenses incurred thereby shall be paid by the Person committing such Offence or occupying the Premises whence such Annoyance proceeds, and, if there be no Occupier, by the Owner of such Premises, and shall be recoverable as Damages.

Stagnant Pools of Water and other Annoyances to be removed.

CLV. That when the Contents of any Sewer, or any other Flow of Filth or Refuse, are discharged into any River or Stream in the Bed or Channel of which the Quantity of Water

Beds of running Streams to be kept clear.

is so much diminished, either by Drought during the Summer, or by Part being taken off to supply any Mill Race, Course, or Dam, or by any other natural or artificial Cause, as to be insufficient to keep such Channel clean or clear, it shall be lawful for the Commissioners to make Alterations on the Bed of such River or Stream by cutting in such Bed a Trough or Channel into which the Sewer or Drain Water may be conducted, or by some similar Operations on the Bed of such River or Stream whereby the Flow of Water diminished as aforesaid in such River or Stream may be accelerated, and such Sewer and Drain Water prevented from spreading over the Surface of such Bed, or from accumulating and stagnating in Parts thereof, to the Injury of Health and the Annoyance of the surrounding Population: Provided always, that the Commissioners shall not be entitled in any way to interfere with the Rights of the Owners or Occupiers of Mills on such River or Stream, or to diminish in any respect the Quantity of Water flowing in such River or Stream, or available to such Owners or Occupiers, previously to and at the Time of making the Alterations or Operations hereby allowed.

Regulations to prevent Accumulation of Dung, &c.

CLVI. That if the Dung or Soil of any Stable, Cowhouse, or Pigstye, or other Collection of refuse Matter, elsewhere than in any Farmyard, be at any Time allowed to accumulate within the Burgh for more than Twenty Days, or for more than Seven Days after a Quantity exceeding One Ton has been collected in any Place not allowed by the Commissioners, such Dung, Soil, or Refuse, if not removed within Forty-eight Hours after Notice from any Officer of the Commissioners for that Purpose, shall become the Property of the Commissioners, and they, or any Person with whom they have at that Time any subsisting Contract for the Removal of Refuse, may enter upon the Premises and remove the same, and may sell and dispose of the same, and the Money thence arising shall be applied towards the Purposes of this Act.

Regulations against Cow-houses injurious to the Health of the Neighbourhood.

CLVII. That no Person shall be allowed to keep any Cow or Cows in any Byre or Cowhouse or other Place where it shall have been ascertained by competent Medical Evidence that the keeping of such Cow or Cows in such Place is injurious to the Health of the Neighbourhood, and the Commissioners shall have ordered such Place not to be so used or occupied: Provided always, that any Person who shall think himself aggrieved by any Order of the Commissioners in this Matter shall be entitled to appeal to the Sheriff, whose Decision shall be final.

On Certificate of the Officer of Health, Filth to be removed.

CLVIII. That if at any Time the Officer of Health, or, if for the Time being there be no Officer of Health, any Two Surgeons or Physicians, or One Surgeon and One Physician, certify

certify under his or their Hand to the Commissioners that any Accumulation of Dung, Soil, or Filth, or other noxious or offensive Matter within the Burgh, ought to be removed, as being injurious to the Health of the Inhabitants, the Clerk to the Commissioners shall forthwith give Notice to the Owner or reputed Owner of such Dung, Soil or Filth, or to the Occupier of the Land where the same are, to remove the same within Twenty-four Hours after such Notice; and in case of Failure to comply with such Notice such Dung, Soil, or Filth shall thereupon become vested in the Commissioners, and they, or any Person with whom they have at that Time contracted for the Removal of all such Refuse, may enter upon the Premises and remove the same, and may sell and dispose of the same, and the Money thence arising shall be applied towards the Purposes of this Act.

CLIX. That if at any Time the Officer of Health, or, if there be no Officer of Health, any Two Surgeons or Physicians, or One Surgeon and One Physician, certify under his or their Hands to the Commissioners that any House or Part of any House or Building within the Burgh is in such a filthy or unwholesome Condition that the Health of the Inmates or of the Neighbours is thereby affected or endangered, or that the whitewashing, cleansing, or purifying of any House or Building or any Part thereof would tend to prevent or check infectious or contagious Disease therein, or that any Drain, Privy, or Cesspool is in such a defective State that the Health of the Neighbours is thereby affected or endangered, the Commissioners shall order the Occupier of such House or Part thereof to whitewash, cleanse, and purify the same, and the Owner of such Drain, Privy, or Cesspool to amend the Condition thereof, in such Manner and within such Time as the Commissioners deem reasonable; and if such Occupier or Owner do not comply with such Order he shall be liable to a Penalty not exceeding Ten Shillings for every Day's Neglect thereof; and in such Case the Commissioners may cause such House or any Part thereof to be whitewashed, cleansed, and purified, or the Condition of such Drain, Privy, or Cesspool to be amended, and may recover the Expenses thereof from such Occupier or Owner in the same Manner as Damages.

CLX. That no Coffin containing a Corpse shall be buried in any Grave within the Burgh, not being a Vault or Catacomb, without at least Thirty-six Inches of Soil between the ordinary Surface of such Burial Ground and the upper Side of the Coffin; and if the Person having the Preparation or the immediate Charge of the Preparation of the Grave to receive such Coffin permit the Coffin to be buried in such Grave, or if the Person having the Control of the Burial Ground knowingly permit any Coffin to be buried in any Grave in which there is not

Houses to be white-washed, and purified, on Certificate of Officer of Health, &c.

No Interment in any Grave without leaving Thirty-six Inches clear of Soil above the Coffin.

not left after the Burial thereof Thirty-six Inches at the least of Soil, measuring from the ordinary Surface of such Burial Ground to the upper side of the Coffin, the Person having the immediate Charge of the Preparation of the Grave, and the Person having the Control of the Burial Ground in which such Burial is made shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Commissioners to order Costs of Prosecutions to be paid out of the Rates.

CLXI. That the Commissioners may direct any Prosecution for any public Nuisance whatsoever, created, permitted, or suffered within the Burgh, and may order Proceedings to be taken for the Recovery of any Penalties, and for the Punishment of any Persons offending against the Provisions of this Act, and may order the Expenses of such Prosecution or other Proceedings to be paid out of the Assessments authorized to be imposed under the Provisions of this Act.

Act not to affect present Law as to Nuisances.

CLXII. That nothing in this Act contained shall be construed to render lawful any Act or Omission on the Part of any Person which is, or but for this Act would be, deemed to be a nuisance, nor to exempt any Person guilty of Nuisance from Prosecution or Action in respect thereof, in the same Way and Manner as before the passing of this Act.

Power to provide Premises for the Reception of the Dead previously to Interment.

CLXIII. That the Commissioners may, if, for the Purpose of preventing the Evils occasioned by the Retention of the Dead in the Dwellings of the Poor or otherwise, they shall think fit, provide, fit up, and make Bye Laws with respect to the Management and Charges for the Use of Rooms or Premises in which Corpses may be received and decently and carefully kept previously to interment; and the Commissioners may, upon Application, and subject to such Regulations, and at such Rates and Charges as shall be prescribed by any such Bye Laws, make all necessary Arrangements for the decent and economical Interment of any Corpse which may have been received into any Rooms or Premises so provided in pursuance of this Enactment.

Burial Grounds &c. dangerous to Health may be prohibited.

CLXIV. That if upon an Application by the Commissioners, and after Evidence to his Satisfaction that there is sufficient Ground to justify the Conclusions of such Application, the Sheriff shall certify (such Certificate to be published in the *Edinburgh Gazette* and in some One or more of the public Newspapers usually circulated within the Burgh) that any Burial Ground situate within the Burgh is in such a State as to be dangerous to the Health of Persons living in the Neighbourhood thereof, or that any Church or other Place of public Worship within the Burgh is dangerous to the Health of Persons frequenting the same by reason of the surcharged State of the Vaults or Graves within the Walls of or underneath the same, and that sufficient Means of Interment exist within a convenient Distance from such Burial Ground, Church, or Place of

Public

Public Worship, it shall not be lawful after a Time to be named in such Certificate to bury or permit or suffer to be buried any further Corpses or Coffins in, within, or under the Ground, Church, or Place of Worship to which the Certificate relates, except in so far as may be allowed by such Certificate; and whosoever after Notice of such Certificate buries or causes, permits, or suffers to be buried any Corpse or Coffin contrary to this Enactment shall for every such Offence be liable to a Penalty of Twenty Pounds.

CLXV. That no Vault or Grave shall be constructed or made within the Walls of or underneath any Church or other Place of Public Worship built in the Burgh, after the Adoption of this Act with respect to Burial Grounds and Interments, and no Burial Ground shall be made or formed within any District after such Adoption of this Act, without the Consent of the Sheriff first had and obtained, unless the same be made or formed upon Land purchased or authorized by Parliament to be appropriated for the Purpose of being used as a Burial Ground before such Adoption of this Act; and whosoever shall bury or cause, permit, or suffer to be buried any Corpse or Coffin in any Vault, Grave, or Burial Ground constructed, made, or formed contrary to this Enactment shall for any such Offence be liable to a Penalty not exceeding Fifty Pounds, which may be recovered by any Person, with full Costs of Suit, in an Action of Debt.

As to Interments within Churches or Burial Grounds newly erected or formed.

CLXVI. That it shall be lawful for the Commissioners to purchase or provide for the Use of the Inhabitants of the Burgh a suitable Piece or Plot of Ground for the Purpose of supplying the Place of such Burial Ground as it may be necessary to shut up; provided that the Commissioners shall not charge a higher Price on Fees for Graves or Interment in such new Ground than were previously paid in the old Burial Ground.

Grounds for Burials may be purchased in place of those closed.

And with respect to the Police of Burghs, and to Lodging Houses, be it enacted as follows:

Lodging Houses.

CLXVII. That it shall not be lawful to keep or use as a Lodging House within the Burgh any House, not being a licensed Victualling House, unless such House shall have been registered as a Lodging House in a Book to be kept by the Commissioners for that Purpose.

For the Regulation and Inspection of Lodging Houses.

CLXVIII. That the Commissioners shall cause a Register to be kept in which shall be entered the Names of all such Persons as apply to have the Houses occupied by them registered as Lodging Houses, and the Situations of such Houses; and the Commissioners shall from Time to Time fix the Number of Lodgers who may be received into each such Lodging House, and make Rules for promoting Cleanliness and Ventilation in such Lodging House; and they shall order that a Ticket con-

Commissioners to keep a Register of Lodging House Keepers, and make Rules for promoting

taining

Cleanliness
and Ven-
tilation.

taining the Number of Lodgers allowed to be received into the House, and a Table of Rules for promoting Cleanliness and Ventilation, shall be hung up or placed in a conspicuous Part of each Room into which Lodgers are received; and the Keepers of all such Lodging Houses shall at all times observe such Rules, and give Access to such Lodging Houses when required by any Persons appointed by the Commissioners, for the Purpose of Inspection thereof, or for the Purpose of performing therein any disinfecting Process which the Commissioners may order.

Penalty on
Lodging
House
Keepers
not com-
plying
with the
Provisions
of the Act.

CLXIX. That every Person who shall keep any Lodging House, or receive Lodgers therein, without such Lodging House having been duly registered, or who shall receive into the same more Lodgers than shall be allowed by the Commissioners, or who shall fail to keep such Ticket or such Table of Rules as aforesaid hung up or displayed as required by the Commissioners, or who shall neglect to cause such Rules to be observed in such Lodging House, or who shall refuse to admit to such Lodging House at all reasonable Times any Person appointed by the Commissioners for any of the Purposes aforesaid, or who shall wilfully obstruct any such Person in performing any disinfecting Process therein which the Commissioners may order, shall be liable to a Penalty not exceeding Forty Shillings for each such Offence.

Keepers of
Lodging
Houses to
report
Cases of
Fever.

CLXX. That all Keepers of Lodging Houses shall, in the event of any Person in their respective Houses becoming ill of Fever or any other Disease, forthwith make Intimation thereof to One of the Magistrates of Police, or the Superintendent of Police, or the Officer of Health, in order that the Nature of the Complaint of such Person may be ascertained, and the proper medical Attendance and Treatment procured; and if any Lodger or other Person in any Lodging House shall have been confined to Bed for Twenty-four Hours by Illness, of whatever Kind, without the Keeper of such House making such Intimation, such Keeper shall for such Neglect be liable to a Penalty not exceeding Forty Shillings.

Commis-
sioners
may make
Orders in
Cases of
infectious
Disease in
Lodging
Houses.

CLXXI. That if at any Time the Officer of Health, or, if for the Time being there be no Officer of Health, any Two Surgeons or Physicians, or One Surgeon and One Physician, certify under his or their Hands to the Commissioners that any infectious or contagious Disease exists in any Lodging House, the Commissioners shall have Power to pronounce such Order as the Officer of Health, or, failing him, such Medical Persons shall sanction with reference to the Health of the Patient and other Inmates and of the Public; and if such Keeper do not comply with such Order he shall be liable to a Penalty not exceeding Ten Shillings for every Day's Neglect thereof, and in such Case the Commissioners may cause such

such Lodging House to be cleansed and purified, and may recover the Expense thereof from such Keeper in the same Manner as Damages.

And with respect to the Police of Burghs, and to Slaughter-houses, be it enacted as follows :

CLXXII. That the Commissioners may license such Slaughter-houses as they from Time to Time think proper for slaughtering Cattle within the Burgh.

Slaughter-houses.

Commissioners may license Slaughter-houses.

CLXXXIII. That no Place shall be used or occupied as a Slaughter-house within the Burgh which was not in exclusive Use and Occupation as such at the Time of the Adoption by such Burgh of this Act, and has so continued ever since, unless and until a License for the Erection thereof, or for the Use and Occupation thereof as a Slaughter-house, have been obtained from the Commissioners; and every Person who, without having first obtained such Licence as aforesaid, uses as a Slaughter-house any Place within the Burgh not used exclusively as such at the Time of the Adoption by such Burgh of this Act, and so continued to be used ever since, shall for each Offence be liable to a Penalty not exceeding Five Pounds, and a like Penalty for every Day after the Conviction for such Offence upon which such Offence is continued.

No new Slaughter-houses in future to be erected without a Licence.

CLXXIV. That every Place within the Burgh which shall be used as a Slaughter-house shall, within Three Months after the Date of such Adoption of this Act, be registered by the Owner or Occupier thereof at the Office of the Commissioners, and on Application to the Commissioners for that Purpose the Commissioners shall cause every such Slaughter-house to be registered in a Book to be kept by them for that Purpose, and every Person who after the Expiration of the said Three Months, and after One Week's Notice of this Provision from the Commissioners, uses or suffers to be used any such Place as a Slaughter-house, without its being so registered, shall be liable to a Penalty not exceeding Five Pounds for such Offence, and a Penalty not exceeding Ten Shillings for every Day after the first Day during which such Place shall be used as a Slaughter-house without having been so registered.

Existing Slaughter-houses to be registered.

CLXXV. And be it enacted, That it shall be lawful for the Commissioners, where they shall think proper, to put down any existing Slaughter-houses within the Burgh, on making Compensation, where any legal Claim for Compensation exists, to the Owners thereof in the Manner provided by the Lands Clauses Consolidation (*Scotland*) Act, 1845, and the Case of Lands taken otherwise than with the Consent of the Owners and Occupiers thereof.

Commissioners may put down Slaughter-houses on making Compensation to Owners.

CLXXVI. That the Commissioners shall from Time to Time,

Commis-
sioners
may make
Bye Laws
for Re-
gulation of
Slaughter-
houses, &c.

Time, by Bye Laws, to be made and confirmed in the Manner herein-after provided, make Regulations for the licensing, registering, and Inspection of Slaughter-houses, and preventing Cruelty therein, and for keeping the same in a cleanly and proper State, and for removing Filth at least once in every Twenty-four Hours, and requiring them to be provided with a sufficient Supply of Water, and they may impose pecuniary Penalties on Persons breaking such Bye Laws; provided that no such Penalty exceed for any One Offence the Sum of Five Pounds, and in the Case of a continuing Nuisance the Sum of Ten Shillings for every Day during which such Nuisance shall be continued after the Conviction for the first Offence.

Licence of
Slaughter-
houses
may be
suspended
in addition
to Penalty
imposed.

CLXXVII. That the Sheriff or Magistrate before whom any Person is convicted of killing or dressing any Cattle contrary to the Provisions of this Act, or of the Non-observance of any of the Bye Laws or Regulations made by virtue of this Act, in addition to the Penalty imposed on such Person under the Authority of this Act, may suspend for any Period not exceeding Two Months the Licence granted to such Person under this Act, or, in Case such Person be the Owner or Proprietor of any registered Slaughter-house may forbid for any Period not exceeding Two Months the slaughtering of Cattle therein; and such Sheriff or Magistrate, upon the Conviction of any Person for a second or other subsequent like Offence, may, in addition to the Penalty imposed under the Authority of this Act, declare the Licence granted under this Act revoked, or if such Person be the Owner or Proprietor of any registered Slaughter-house, may forbid absolutely the slaughtering of Cattle therein; and whenever the Licence of any such Person is revoked as aforesaid, or whenever the slaughtering of Cattle in any registered Slaughter-house is absolutely forbidden as aforesaid, the Commissioners may refuse to grant any Licence whatever to the Person whose Licence has been so revoked, or on account of whose Default the slaughtering of Cattle in any registered Slaughter-house has been forbidden.

Penalty for
slaughtering
Cattle
during
Suspension
of Licence
&c.

CLXXVIII. That every Person who during the Period for which any such Licence is suspended, or after the same is revoked as aforesaid, slaughters Cattle in the Slaughter-house to which such Licence relates, or otherwise uses such Slaughter-house, or allows the same to be used as a Slaughter-house, and every Person who during the period that the slaughtering of Cattle in any such registered Slaughter-house is forbidden as aforesaid, or after such slaughtering has been absolutely forbidden therein, slaughters any Cattle in any such registered Slaughter-house,

Slaughter-house, shall be liable to a Penalty not exceeding Five Pounds for such Offence, and a further Penalty of Five Pounds for every Day on which any such Offence is committed after the Conviction for the first Offence.

CLXXIX. Provided always, and be it enacted, That nothing herein contained shall prejudice or affect the Rights, Privileges, Powers, or Authorities of any Persons incorporated or authorized by any Local Act of Parliament passed before the passing of this Act, or that may be passed during the present Session of Parliament, for the Purpose of making and maintaining Slaughter-houses for the accommodation of any City, Town, Burgh, or Place.

Saving Rights of Persons incorporated by Act of Parliament for maintaining Slaughter-houses.

CLXXX. That the Business of a Blood-boiler, Bone-boiler, Tanner, Slaughterer of Cattle, Horses, or Animals of any Description, Soap-boiler, Tallow-melter, Tripe-boiler, or other noxious or offensive Business, Trade, or Manufacture, shall not be newly established in any Building or Place within the Burgh, without the Consent of the Commissioners; and whosoever offends against this Enactment shall be liable for each Offence to a Penalty of Fifty Pounds, and a further Penalty of Forty Shillings for each Day during which the Offence is continued; and the Commissioners may from Time to Time make such Bye Laws with respect to any such Businesses so newly established as they may think necessary and proper, in order to prevent or diminish the noxious or injurious Effects thereof.

Offensive Trades newly established to be subject to Regulation of Commissioners.

And with respect to the Police of Burghs, and to the Sale or Exposure for Sale of unwholesome and adulterated Food, be it enacted as follows:

Unwholesome Food.

CLXXXI. That in any Shop, Building, Stall, or Place kept or used for the sale of Butchers Meat, Poultry, or Fish, no Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish which is unfit for the Food of Man, shall be kept or retained, unless entirely separate and apart from any Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish which is intended for such Food, nor unless the same be ticketed in large and legible and conspicuous Characters as being unfit for such Food; and any Person who shall keep in any Shop, Building, Stall, or Place occupied or used by him as aforesaid any Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish which is unfit for the Food of Man, otherwise than entirely separate and apart, and ticketed as aforesaid, shall be liable to a Penalty not exceeding Ten Pounds; and the Inspector of Nuisances, Officer of Health, or any other Officer appointed by the Commissioners for that Purpose, may and he is hereby empowered, at all reasonable Times, with or without Assistants, to enter into and inspect any Shop, Building, Stall, or Place kept or used

Provision against Sale of unwholesome Meat;

used for the Sale of Butchers Meat, Poultry, or Fish, or as a Slaughter-house, and to examine any Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish which may be therein; and in case any Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish, appear to him to be intended for the Food of Man, and to be unfit for such Food, the same may be seized; and if it appear to any Magistrate, or to the Sheriff, upon the Evidence of a competent Person, that any such Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish is unfit for the Food of Man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for Sale or used for such Food; and the Person to whom such Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding Ten Pounds for every Animal or Carcase, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, so found, and as to which such Magistrate or Sheriff shall be satisfied that it was intended for the Food of Man.

and against
Sale of
adulterated Food.

CLXXXII. That if any Person shall sell or expose for Sale any adulterated Butter, Meal, Bread, or other Article of Food, knowing the same to be adulterated, such Person so offending shall, upon Conviction before the Sheriff or Magistrate, for every such Offence be liable to a Penalty not exceeding Five Pounds, and such adulterated Article shall be forfeited, and disposed of as the Sheriff or any Magistrate shall direct; and it shall be lawful for the Sheriff or Magistrate, on the application of the Superintendent of Police or Officer of Health, or other Officer acting under this Act, setting forth that he has received Information and has just cause to believe that any adulterated Article of Food is in the Possession of any Person for the Purpose of being disposed of, to grant Warrant to enter upon the Premises of such Person, and to search for and seize such Article of Food, and to forfeit and dispose of the same as to him shall seem proper.

Regulations
as to Gun-
powder.

CLXXXIII. And with respect to the Police of Burghs and to Gunpowder, be it enacted, That no Gunpowder shall be sold within the Burgh by Gas or Candle or other artificial Light, under a Penalty not exceeding One Pound to be paid for each Offence by the Person so selling the same; and no Person shall keep at any Time in any Place more than Ten Pounds weight of Gunpowder, under a Penalty for the First Offence of any Sum not exceeding One Pound, for the Second Offence not exceeding Three Pounds, and for the Third and any subsequent Offence not exceeding Five Pounds, besides Forfeiture of all the Gunpowder which shall be found in such Place exceeding the aforesaid Weight; and the aforesaid
Quantity

Quantity of Ten Pounds Weight of Gunpowder allowed to be kept as aforesaid shall be deposited in a Place by itself, separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding One Pound to be paid for each Offence by the Occupier of the Premises in which such Quantity of Gunpowder not so kept and secured as aforesaid shall be found: Provided always, that the Commanding Officer of any of Her Majesty's Military or Naval Forces, or of any Volunteer or Yeomanry Corps, may keep such a Quantity of Gunpowder as he may think necessary for Military Purposes.

And with respect to the Police of Burghs, and to the weighing of Articles, and the Prevention of Frauds, be it enacted as follows:

CLXXXIV. That it shall be lawful for the Commissioners to erect, so far as not already done, and maintain, Steelyards, Scales, or other Weighing Machines, upon or adjacent to the different Streets or at any other convenient Places within the Burgh, for the Purposes herein-after mentioned, or to grant Powers to others to that Effect, and to appoint proper Persons to attend the same, with suitable Allowances for their Trouble.

CLXXXV. That it shall be competent to the Purchaser of any Coals, or to the Driver of any Cart loaded with Coals, to require that any such Cart loaded with Coals shall be weighed at the said Steelyard, Scales, or other Weighing Machines; and the Weight of the Coals and of the Cart, and also the Time of such weighing, marked on a Ticket, shall be delivered to the Driver thereof; and the Person having the Charge of such Steelyards, Scales, or other Weighing Machines shall exact and receive from the Driver for each Cart a Sum not exceeding One Penny Halfpenny for weighing the Coals and delivering the Ticket as aforesaid; and the Money so to be paid shall be repaid to such Driver by the Purchaser of the Coals or Person to whom the same are delivered, on the Ticket thereof being produced.

CLXXXVI. That it shall be lawful for the Commissioners to provide, furnish, and maintain such Number of portable or moveable Machines for weighing Coals as they may deem necessary, to be kept at convenient Places within the Burgh, in order that the Inhabitants may have Access to them for the Purpose of reweighing their Coals at their own Expense, if they shall be so inclined, and to employ proper Persons to attend such Machines, and to establish the Rates to be payable for such reweighing; and it shall be lawful for the Superintendent of Police, or any other Officer acting under this Act, to cause Coals offered for Sale or for Delivery to be reweighed, and

*Weighing
Machines.*

*Weighing
Machines
to be
erected.*

*Power to
Purchaser
of Coals
to require
them to be
weighed.*

*Power to
provide
portable
Machines
for weigh-
ing Coals.*

and to require the Driver to produce the Ticket thereof, as a Check on the Conduct of Drivers and others, such reweighing being always done free of Expense.

Retailers
of Coals
to keep
Scales and
Weights
for weigh-
ing at the
Time of
Delivery.

CLXXXVII. That for the Purpose of ascertaining the Weight of Coals sold in Quantities of less than Half a Ton within any Yard, Depôt, Cellar, Fold, or Place where they may be kept, or from any Cart on which they may be carried by Dealers for Sale, such Dealers shall be obliged to have and keep Scales and Weights of the legal Standard within such Yard, Depôt, Cellar, Fold, or other Place, and also to have such Scales and Weights attached to the Cart used by them for the Sale of such Coals, whereby the Coals so sold by Retail may be weighed at the Time of the Sale or Delivery, and such Dealers shall be obliged to weigh the same, upon being required to do so either by the Person purchasing the same or by any Constable or Officer of Police; and any such Dealer in Coals failing to have and keep such Scales and Weights, or refusing to weigh the Coals as aforesaid, shall, upon Conviction before the Sheriff or Magistrate, be liable to a Penalty not exceeding Forty Shillings, and Five Pounds for any subsequent Offence.

Penalty on
Driver re-
fusing to
weigh.

CLXXXVIII. That if any Driver or other Person having the Charge of any Cart shall not, upon being so required as aforesaid, take the same to any such public Weighing Machine, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts are used and accustomed to do, such Driver or other Person shall, upon Conviction before the Sheriff or Magistrate, for each Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty on
fraudulent
weighing.

CLXXXIX. That if the Keeper of any Weighing Machine used within the Burgh for the Purpose of ascertaining the Weight of Coals, or the Seller of any Coals which shall be weighed at such Weighing Machine, or any of their respective Servants, shall wilfully, on application, refuse duly to weigh or reweigh any Cart with or without Loading, or shall designedly do or omit to do anything with Intent that the true Weight or Measurement of any Coals weighed thereat shall not be ascertained, or if the Owner or Driver or other Person having the Charge of any Cart shall Place or knowingly have any Article, Matter, or Thing in or about such Cart, other than the proper Load therein, or shall alter the Tare or Weight or the Ticket denoting the Weight of any Cart or the Loading thereof, or shall make, use, or be privy to the making or using any false or fraudulent Ticket respecting the Weight of any such Cart or Loading, or if by reweighing or otherwise it shall be discovered that any Coals have been abstracted by such
Owner,

Owner, Driver, Person in charge, Keeper, or Servant, from such Cart, after it shall have passed the Steelyard or Weighing Machine where it was originally weighed, or if the Owner or Driver or Person in charge of any Cart, or the Keeper of any Machine as aforesaid, or his Servants, shall make or give or use, or be privy to the making or giving or using, any false or fraudulent Contrivance touching the Weight of any Cart or of the Load therein, or shall knowingly assist in or connive at any Fraud in or concerning the Weight of any Cart or of the Load therein, or if any other Person shall knowingly aid or assist in the committing of any Fraud respecting the Weight of any Cart or the Load therein, weighed or stated or represented to be weighed at any such Machine as aforesaid, then and in every such Case, every Person so offending shall, upon Conviction before the Sheriff or Magistrate, for every Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned for any Period not exceeding Thirty Days.

CXC. That in order to prevent Fraud in the Weight of Hay and Straw, or other Commodities usually weighed in Carts, it shall be lawful for the Commissioners to make Regulations for ascertaining the Weight or Quantity of Hay or Straw or other Commodities brought within the Burgh, upon Parties voluntarily resorting to the said Weighing Machines for the Purpose, and for the Sheriff or Magistrate to punish Persons disobeying such Regulations, by seizing, forfeiting, and selling such Hay and Straw or other Commodities so brought in contravention of such Regulations, or by imposing on the Offender a Penalty to the Extent and in the Manner before prescribed in respect of Coals which have not been duly weighed, and also to fine all Persons driving Carts from which Hay or Straw or other Commodities shall have been fraudulently taken or embezzled, and all Persons accessory to such fraudulent taking or Embezzlement, in any Penalty not exceeding Five Pounds, or to sentence him to Imprisonment for any Period not exceeding Thirty Days.

Regulations may be made for preventing Fraud in the Weight of Hay, Straw, &c.

And with respect to the Police of Burghs, and to Brokers and Pawnbrokers, be it enacted as follows:

Brokers and Pawnbrokers.

CXCI. That from and after the passing of this Act no Person shall within the Burgh exercise or carry on the Trade or Business of a Broker, unless he shall have first obtained a Licence so to do from the Magistrates of Police, which Licence such Magistrates shall have a discretionary Power of granting or refusing, as they shall see Cause, and which, when granted, shall continue in force until the Term of *Whitsunday* in each Year, and no longer, unless sooner revoked or suspended, which the Magistrates are hereby authorized to do on legal Conviction of any Violation of any of the Conditions of such Licence

Brokers to be licenced.

or

or of the Provisions of this Act; and every Person to whom such Licence shall be given or renewed shall for each such Licence or Renewal thereof pay to the Clerk a Sum not exceeding Two Shillings and Sixpence, as the Expense of such Licence or Renewal, and of recording the same in a Book to be kept by him for that Purpose; and if any Person shall within the Burgh exercise or carry on the Trade or Business of a Broker without having first obtained such Licence as aforesaid, or after the Revocation or during the Suspension thereof, or shall contravene the Terms of such Licence or any of the Provisions of this Act, such Person shall for such Offence be liable to a Penalty not exceeding Five Pounds: Provided always, that no licensed Pawnbroker carrying on Business as such shall be entitled to carry on the Trade or Business of a Broker (but nothing in this Provision shall be held to apply to the Sale of Goods *bonâ fide* forfeited in accordance with the Pawnbrokers Act,) and it shall not be lawful for the Magistrates to issue any such Broker's Licence to any Pawnbroker.

Brokers to furnish a Description of their Premises, and keep Books.

Penalty on failing to make proper Entries.

Brokers to retain Articles for Seven Days after having received them.

Penalty for Neglect.

Brokers to produce

CXCII. That every Person who shall apply to be licensed as a Broker shall at the Time of his Application, and at *Whitsunday* yearly thereafter, furnish to the Clerk in Writing a Description of his Premises, including all Cellars, Closets, and other Places proposed to be used by him in the course of his Trade; and all Brokers shall enter in Books to be kept by them a proper and distinctive Description of each Article purchased or received by them, the Name and Place of Abode of the Person from whom they have purchased or received the same, and the Date and Hour of the Day of each such Transaction, and the Price paid or agreed to be paid for such Articles; and if any such Broker shall fail to make proper Entries in such Book he shall for each Offence be liable to a Penalty not exceeding Five Pounds.

CXCIII. That all Articles purchased or received by such Brokers shall be kept by them in their Shops, or other Places where their ordinary Business is carried on, for the full Period of Seven Days from and after the Date on which it shall appear from their Books that such Articles have been purchased or received; and every Broker who shall sell or otherwise dispose of, or remove from his Premises as aforesaid, any such Articles, before the Expiry of such Period of Seven Days, or shall fail at any Time in the course of that Period to produce such Articles to the Superintendent of Police, or to any Constable acting under him, when required so to do, shall for each Offence, upon Conviction before the Sheriff or Magistrate, be liable to a Penalty not exceeding Five Pounds.

CXCIV. That every Broker shall at all reasonable Times exhibit and produce, on Demand, to the Superintendent of Police

Police, or to any Constable acting under him, all Articles in his Possession, or which he may have received, or purchased, and shall also produce his Books in which the Description of any such Articles is or should have been entered, when required in the Police Court, or to the Superintendent of Police, or any Constable acting under him and having the Authority of the Sheriff or Magistrate, in which Book the Constable requiring and obtaining Production thereof shall on every Occasion subscribe his Name immediately following the last Entry therein; and as often as it shall be found that any Goods or Articles which have been stolen, embezzled, or fraudulently obtained shall be in the Possession of any Broker, he is hereby required, on being informed by the Superintendent of Police, or other Constable authorized as aforesaid that such Goods or Articles were stolen, embezzled, or fraudulently obtained, to deposit the same with the Superintendent of Police, in order that they may be produced in such Manner as may be necessary for the Ends of Justice, or, upon Proof of Ownership to the Satisfaction of the Judge, restored to the proper Owner thereof; and every Broker who shall refuse to produce and show the Goods or Articles in his Possession, or the Books in which the same are or should have been described, on being required so to do, or who shall refuse to allow the Superintendent of Police or Constable requiring the same to subscribe his Name, or who shall not deposit any such Goods or Articles stolen, embezzled, or fraudulently obtained as aforesaid, shall, upon Conviction before the Sheriff or Magistrate, for every such Offence be liable to a Penalty not exceeding Five Pounds; without Prejudice to such Broker being also proceeded against as a Receiver or Resetter of stolen Goods according to Law.

Articles,
on De-
mand.

CXCV. That every Pawnbroker shall at all Times during his Hours of Business produce, on Demand, to the Superintendent of Police, or to any Constable acting under him, his Books in which the Articles received by him in Pledge are entered, and shall exhibit to such Superintendent of Police all Goods regarding which Information shall have been given tending to show or to render probable that the same have been stolen, embezzled, or fraudulently taken, and, if required, shall deposit the same with the Superintendent of Police, for the Ends of public Justice, on receiving a Receipt for such Goods; and any Pawnbroker who shall refuse to produce his Books, or to exhibit, and, if required, to deposit any Goods as aforesaid, shall for every Offence be liable to a Penalty not exceeding Five Pounds.

Pawn-
broker to
produce
his Books,
on De-
mand.

CXCVI. That if any Goods or Articles regarding which Brokers,
written

&c. to report stolen Goods, under a Penalty for Neglect.

written or printed Information shall be given by any Constable to any Pawnbroker or Broker, as having been stolen, embezzled, or fraudulently obtained, shall then be or thereafter come into the Possession of such Pawnbroker or Broker, such Pawnbroker or Broker shall without unnecessary Delay give Information to the Magistrate or at the Police Office that certain Goods or Articles answering the Description of the said Goods or Articles were offered to him or are in his Possession, and shall also state the Name and Address given by the Party by whom the same were offered or from whom the same were received, under a Penalty not exceeding Five Pounds for each and every such Neglect or Offence: Provided always, that in the Case of Wearing Apparel or other Articles which it may be difficult for such Pawnbroker or Broker to trace out and identify, no Fine shall be exigible in respect of not reporting such Articles, unless it shall appear to the Sheriff or Magistrate that such Articles had been knowingly concealed by such Pawnbroker or Broker.

If stolen Articles be altered or defaced by Broker, he shall be held to be Receiver of stolen Goods.

CXCVII. That if any Broker shall, after receiving Information of the Theft, or the embezzling or the fraudulent Disposal of any Metals, Goods, or Articles of whatsoever Description, melt, alter, deface, or put away the same, or shall cause the same to be melted, altered, defaced, or put away, without having previously received the Permission of the Magistrate, and if it shall be found that such Metals, Goods, or Articles were stolen, embezzled, or fraudulently disposed of by the Person from whom such Broker received the same, or by any other Person, then and in such Case it shall be held that such Broker knew that such Metals, Goods, or Articles were stolen, embezzled, or fraudulently disposed of, and such Broker shall be proceeded against according to Law as a Receiver of stolen Goods, or as being a Party to the Fraud, and punished accordingly; and no other Evidence of his Guilt shall be necessary than Evidence of such melting, altering, defacing, or putting away, after receiving Information as aforesaid.

Brokers not to carry on Business of Publicans, nor to purchase Tickets of Pawn-brokers.

CXCVIII. That it shall not be lawful for any Broker or any Pawnbroker to carry on Business as a Publican or Retailer of excisable Liquors, nor for any Broker to purchase, receive, or take the Note or Ticket of any Pawnbroker for any Goods or Articles which have been pawned, or to contract or negotiate in any Manner with the Holder of any such Note or Ticket, or any Person in his Behalf, for the Purchase of Goods or Articles specified therein; and if any Broker shall offend herein, either by himself or his Servant, or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall for every such

such Offence be liable to a Penalty not exceeding Five Pounds.

CXCIX. That if any Broker shall receive or take any Goods or Articles in Pledge, such Broker shall, upon Conviction thereof by the Oath of One or more credible Witness or Witnesses, for every such Offence be liable to a Penalty not exceeding Five Pounds.

Brokers not to take Articles in Pledge.

CC. That it shall not be lawful for a Pawnbroker and a Broker to carry on their respective Trades within the same Premises, or in separate Premises having a Communication with each other; and every Pawnbroker or Broker who shall offend herein shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Pawnbroker and Broker not to carry on Business in the same Premises.

CCI. That it shall not be lawful for any Broker at any Time to sell to or purchase from any Person who shall apparently be under Fourteen Years of Age; and if any Broker shall offend herein, either by himself or his Servant, or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Brokers transacting Business with Persons under 14 Years of Age.

CCII. That it shall not be lawful for any Broker to sell to or purchase from or have any Business Transaction whatsoever with any Person between the Hours of Ten o'Clock of each Saturday Night and Nine o'Clock in the Morning of the following *Monday*; and if any Broker shall offend herein, either by himself or his Servant, or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker shall, on being convicted thereof by the Oath of One or more credible Witness or Witnesses, for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Brokers transacting Business between certain Hours.

CCIII. That any Pawnbroker or Broker who shall, either by himself or his Servant, or by any other Person having the Charge of his Premises or Business, and for whom in such Case he shall be held responsible, and any other Person who shall purchase, receive, or take any Note or Ticket issued by Authority of any Parochial Board or Charitable Institution, or any Article of Clothing issued as aforesaid, and legibly marked as or known by him to be so issued, shall for each such Offence be liable to a Penalty not exceeding Five Pounds, without Prejudice to such Pawnbroker, Broker, or other Person being proceeded against according to Law as a Resetter of stolen Goods.

Penalty on Pawnbrokers, &c. purchasing Tickets issued by Charitable Institutions.

CCIV. That every Person licensed as a Broker shall have his Name, with the Words "Licensed Broker," painted over the

Brokers to have their Names

painted
over Shop
Doors.

the Door or principal Entrance of his Premises, in large Characters, either Black upon a White Ground or White upon a Black Ground, and shall from Time to Time replace the same when removed, obliterated, or defaced, under a Penalty not exceeding Twenty Shillings.

*Vagrants
and
Beggars.*

And with respect to the Police of Burghs, and to the Suppression of Vagrants and Beggars, be it enacted as follows:—

Vagrants
and Beg-
gars to be
appre-
hended,
and, upon
Convic-
tion, im-
prisoned.

CCV. That it shall be lawful for any Constable to apprehend and bring before the Magistrate all Persons found begging, and all Persons conducting themselves as Vagrants, having no fixed Place of Residence, and no lawful Means of gaining their Livelihood, within the Burgh, and such Persons, upon Conviction, shall be liable to be imprisoned for any Period not exceeding Thirty Days; and if any Money be found upon their Persons, such Money may be applied towards their Maintenance while in Prison. and towards their Transmission thereafter to the Parish of their Settlement.

Procedure
as to Per-
sons send-
ing out
Children to
beg.

CCVI. That it shall be lawful for any Constable to apprehend and bring before the Magistrate all young Persons found begging, or sent or suffered to go out for that Purpose, within the Burgh, and also the Parents of such young Persons, or other Relations to whose Control they are subject, by whom they have been so sent or suffered to go out, and also any other Persons by whom such young Persons have been so sent out; and on the Complaint being established that such young Persons have been sent out or suffered to go out for that Purpose by their Parents or either of them, or by any other Relation to whose Control they are subject, or have been sent out for that Purpose by any other Person, it shall be lawful for the Magistrate to punish such Parent, Relation, or other Person as a Vagrant or disorderly Person, by Imprisonment for a Period not exceeding Thirty Days.

Beggars
and Va-
grants to
be handed
over to the
Parochial
Autho-
rities.

CCVII. That it shall be lawful for any Constable to apprehend and bring before the Magistrate all such Beggars, Vagrants, and idle poor Persons, Men, Women, or Children, strolling or wandering or seeking Relief, or found lying in any Outhouse, Stair, Close, or Area or other Place within the Burgh; and it shall be lawful for the Magistrate to direct and cause all such Persons as he may not at the Time convict of Begging and Vagrancy, as herein-before provided, to be handed over to the Inspector of the Poor or other Official of the Parish within which such Person shall have been found, in order that their Claim as Paupers may be investigated and disposed of according to Law.

Keepers of

CCVIII. That every Person letting Lodgings or giving
Accommodation

Accommodation for the Night or Day to mendicant or vagrant Persons within the Burgh shall, if required by any Order of the Commissioners specially made and served upon such Person, be bound to report each and every Day at the Police Office, or to the Superintendent of Police or Constable of the District, every Person who has resorted to such House during the preceding Night or Day; and for that Purpose Schedules shall be furnished by the Commissioners to the Persons so ordered to report, which Schedules they shall be bound to fill up with the Information required, and transmit to the Police Office, or to the Superintendent of Police or Constable of the District as aforesaid; and if any such Person shall fail to comply with any such Order he shall, upon Conviction before the Magistrate, for each Offence be liable to a Penalty not exceeding Five Shillings.

Lodging Houses for Mendicants to report Persons resorting thereto.

CCIX. And with respect to the Police of Burghs, and to the Punishment of Chain-droppers and Swindlers, be it enacted, That all Chain-droppers, Thimblers, loaded Dice Players, and other Swindlers of that or any similar Description, who shall be found in Possession of Implements or Articles for practising Games of Hazard, or who shall exhibit such Implements or Articles in order to induce or entice, or who shall induce or entice, any Person to play at any Game of Hazard, or who by any fraudulent Art or Device shall cozen and cheat or attempt to cozen and cheat any Person, may be convicted before the Sheriff or Magistrate on the Testimony of One or more credible Witness or Witnesses, and on Conviction shall be imprisoned for any Term not exceeding Thirty Days, and shall also at the same Time be sentenced to repay any Money or restore any Property which they may have obtained by means of any such Offence, and failing such Payment or Restoration may under the same Procedure be committed to or detained in Prison for any further Term not exceeding Thirty Days.

Penalty against Chain-droppers, Swindlers, &c.

And with respect to paving and maintaining Streets, be it enacted as follows: *Paving.*

CCX. That the Commissioners may from Time to Time cause all or any of the Streets within the Burgh, not under the Management of any Turnpike Road or other Trustees, or any part of such Streets respectively, to be raised, lowered, altered, and formed in such Manner and with such Materials as they think fit, and they may also form, with such Materials as they think fit, any Footways for the Use of Passengers in any such Street, and cause such Streets and Footways to be repaired from Time to Time: Provided always, that nothing in this Act contained shall interfere with any Right to have applied to such Streets any Commutation for Statute Labour

Power to the Commissioners to improve public Streets.

or

or other Fund by Law applicable to the Maintenance or repair of such Streets.

Commis-
sioners
may place
Fences to
Footways.

CCXI. That the Commissioners shall from Time to Time place such Fences and Posts on the Side of the Footways of Streets as may be needed for the Protection of Passengers on such Footways, and they may place Posts in the Carriage-ways of such Streets, so as to make the crossing thereof less dangerous for Foot Passengers, and they shall from Time to Time repair any such Fences or Posts, or may remove the same, or any Obstructions to any such Carriageway or Footway, as they think fit.

Foot Pave-
ments.

CCXII. And be it enacted, That the Owners of all Houses and other Buildings, or of Gardens, Yards, Grounds, and other Heritages on which Buildings are not erected, which are adjoining to or fronting any Street, Square, or other public or principal Place within any Burgh, shall, at their own Expense, when required by the Commissioners, cause Footways before their Property respectively on the Sides of the said Streets, Squares, or other public or principal Places, to be made, and to be well and sufficiently paved with flat, hewn, or other Stones, or to be constructed in such other Manner and Form and of such Breadth as the Commissioners shall direct; and in case such Owners shall refuse or neglect or delay so to do, any Magistrate before whom such Complaint shall be brought may fine and amerce such Owners in a Penalty not exceeding double the Amount of the estimated Expense, and on Recovery shall thereout defray the Expense incurred in making such Footways.

Where
public
Streets
have not
heretofore
been pav-
ed, Com-
missioners
may cause
them to be
paved at
the Ex-
pense of the
Occupiers
of adjoin-
ing Lands.

CCXIII. That if any Street have not before the Adoption of this Act been well and sufficiently paved and flagged or otherwise made good, the Commissioners may cause such Street, or the Parts thereof not so paved and flagged or otherwise made good, to be paved and flagged or otherwise made good in such Manner as they think fit, and the Expenses incurred by the Commissioners in respect thereof shall be repaid to them by the Occupiers of the Lands abutting on such Street, or such Parts thereof as have not been theretofore well and sufficiently paved and flagged or otherwise made good, and such Expenses shall be recoverable from such Occupiers respectively as herein provided with respect to Private Improvement Expenses, and thereafter such Street shall be repaired by the Commissioners out of the Assessments levied under this Act.

Penalty on
Persons
altering
Pavements
without
the Con-

CCXIV. That every Person who wilfully displaces, takes up, or makes any Alteration in the Pavement, Flags, or other Materials of any Street, without the Consent of the Commissioners in writing, or without other lawful authority, shall be liable

liable to a Penalty not exceeding Five Pounds, and also a further Sum not exceeding Five Shillings for every Square Foot of the Pavement Flags, or other Materials of the Street exceeding One Square Foot so displaced, taken up, or altered.

sent of the
Commis-
sioners.

And with respect to the lighting of Burghs, be it enacted as follows:

Lighting.

CCXV. That the Commissioners may contract for any Period not exceeding Three Years at any One Time with the Owners of any Gasworks, or with any other Person, for the Supply of such Gas or Oil or other means of Lighting, and may provide such Lamps, Lamp Posts, and other Works as the Commissioners think necessary for lighting the Streets of the Burgh.

Commis-
sioners
may con-
tract for
lighting
Streets.

CCXVI. That if the Commissioners and the Owners of any Gasworks authorized by Act of Parliament to supply Gas within the Burgh, and with whom the Commissioners shall be desirous of contracting, shall not agree as to the Price to be paid for such Supply, then such Price shall be settled by Arbitration, and for that Purpose the Clauses of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this Act.

Price to be
paid for
Gas to be
ascertain-
ed in case
of Dispute.

And with respect to the Improvement of Burghs and to the Officers to be appointed by the Commissioners for the Purposes of Burgh Improvement, be it enacted as follows:

Officers.

CCXVII. That the Commissioners may appoint a Person duly qualified, to act as a local Surveyor of the Paving, Drainage, and other Works authorized under the Provisions of this Act, and may fix the Salary to be paid to such Surveyor, and pay such Salary out of the Assessments levied under this Act; and if any such Surveyor die, resign, or be removed, the Commissioners may appoint another Person so duly qualified, in the Room of the Surveyor so dying, resigning, or removed; and the Commissioners may remove any such Surveyor.

Commis-
sioners
may ap-
point a
Surveyor.

CCXVIII. That the Commissioners may appoint some Person, by the Title of "Inspector of Nuisances," to superintend and enforce the due Execution of all Duties to be performed by the Scavengers appointed under this Act, and to report to the Commissioners any Breach of the Provisions of this Act, or of the Bye Laws, Rules, and Regulations of the Commissioners, and the Existence of any Nuisances within the Burgh; and the Commissioners shall duly publish the Name of any Inspector of Nuisances appointed by them, and shall require him to provide and keep a Book in which shall be entered all reasonable Complaints made by any Inhabitant of the Burgh of any Breach of the Provisions of this Act, or of the Bye Laws, Rules, and Regulations made by the Commissioners

Commis-
sioners
may ap-
point an
Inspector
of Nui-
sances.

sioners for the Preservation of due Order and Cleanliness or for the Suppression of Nuisances; and the Inspector of Nuisances shall forthwith inquire into the Truth of such Complaints, and report upon the same to the Commissioners at their next Meeting; and such Report, and the Order of the Commissioners thereon, shall be entered in the said Book, which shall be kept at the Office of the Commissioners, and shall be open at all reasonable Times to the Inspection of any Inhabitant of the Burgh or other Person interested; and it shall be the Duty of such Inspector of Nuisances, subject to the Direction of the Commissioners, to make Complaints before the Sheriff or a Magistrate to whom the same may competently be preferred, and take legal Proceedings for the Punishment of any Person who has committed any Offence under this Act, or under any Bye Laws made by virtue thereof.

Same Person may be Surveyor and Inspector.

CCXIX. That the Commissioners may, if they think fit, appoint the same Person to be both Surveyor and Inspector of Nuisances.

Commissioners to provide Offices for Surveyor and Inspector.

CCXX. That the Commissioners shall provide Offices for the Use of the said Surveyor and Inspector in some convenient Place within the Burgh, either in connexion with their own Office or otherwise, as may be most convenient, and shall cause due Notice thereof to be given twice at the least in some Newspaper circulating within the Burgh.

Commissioners may appoint, subject to Approval of Secretary of State, an Officer of Health.

CCXXI. That the Commissioners may, if they think fit, appoint, subject to the Approval of One of Her Majesty's Principal Secretaries of State, a Person of competent Skill and Experience, who shall be styled "The Officer of Health," whose Duty it shall be to ascertain the Existence of Diseases within the Burgh, especially Epidemics and contagious Diseases, and to point out any Nuisances or other local Causes likely to cause and continue such Diseases, or otherwise injure the Health of the Inhabitants, and to point out the best Means for checking or preventing the Spread of such Diseases within the Burgh, and also the best Means for the Ventilation of Churches, Chapels, Schools, registered Lodging Houses, and other public Buildings within the same, and from Time to Time, as required by the Commissioners, to report to them upon the Matters aforesaid, and to perform any other Duties of a like Nature which may be required of him; and the Commissioners, with the same Approval which is necessary for the Appointment of the Officer of Health, shall fix the Salary to be paid to such Officer, and shall pay such Salary out of the Assessments to be levied under this Act; and the Commissioners, with the like Approval, may discontinue such Office, or remove any such Officer of Health.

And

And with respect to the Improvement of Burghs, and Plans of the same, and of the Works to be executed under the Powers of this Act, be it enacted as follows : *Surveys and Plans.*

CCXXII. That the Commissioners shall procure or cause to be made a Survey and Map of the Burgh on a Scale of not less than Sixty Inches to a Mile, and shall cause to be marked thereon the Course of all the existing Sewers and Drains belonging to them or under their Care or Management, and, as far as can be ascertained, the Lines of Pipes or Conduits for the Collection and Distribution of Water, the Course of the Pipes for the Distribution of Gas, and such other Works, with such other Particulars as may be necessary in order to show the underground Works within the Burgh, and shall cause the said Map to be from Time to Time corrected, and such Additions to be made thereto as may show the Sewers and Drains for the Time being belonging to the Commissioners, and such other Pipes and underground Works as aforesaid ; and such Map and Plan, or a Copy thereof, with the Date expressed thereon of the last Time when it was so corrected, shall be kept in the Office of the Commissioners, and shall be open at all seasonable Hours to the Inspection of the Owners or Occupiers of any Lands within the Burgh. Commissioners to cause a Map of the Burgh to be made, and to be open to Inspection.

CCXXIII. That the Principal Officers of Her Majesty's Ordnance may, if they think fit, on the Application of the Commissioners, and at their Expense, furnish, for the Use of the Commissioners, One or more Copies of any Map of the Burgh, or any Part thereof, which shall have been made under the Direction of the said Ordnance Officers, or may cause a Survey to be made of the Burgh on a Scale of not less than Sixty Inches to the Mile, by Surveying Officers appointed by them, for such Remuneration as shall previously be agreed upon between the said Principal Officers and the Commissioners. Officers of Ordnance may furnish Commissioners with Maps, or cause Surveys to be made.

CCXXIV. That the Commissioners shall cause to be marked on the Map so procured or caused to be made by them a Series of Marks and Figures at convenient Distances on the said Map, denoting the Height of the Ground at every such Mark above or below the Level of a particular Spot within the Burgh, which may be easily found and identified, the Position of which Spot shall be described on the Map, and shall also cause to be drawn, wherever practicable, Lines of equal Altitude at every Four Feet of Elevation, or at such other Intervals as may appear, upon due Inquiry, to be the best adapted for the Guidance of Works of Sewerage and Drainage, for the Collection and Distribution of Water, and for other Purposes within the Burgh for which a Knowledge of Level Lines to be marked on Map, and Bench Marks to be made for denoting the same.

the Levels of the Burgh may be necessary, and shall also cause proper Bench Marks for denoting the Levels to be inscribed and marked at convenient Distances and Places, at the Corners of Streets, on Posts, Houses, or other prominent Objects within the Burgh.

CCXXV. That the Commissioners may cause every such Plan to be copied, engraved, or printed, and coloured, in such Manner as appears to them most convenient, and may defray the Costs of any Surveys and Maps made under their Direction, and any Costs incurred by them in regard to any such Ordnance Map, out of the Assessments authorized to be levied under this Act.

CCXXVI. That the Commissioners shall cause their Surveyor to prepare Plans of any new Works, and Additions to or Alterations of existing Works, that may be required for the effectual Drainage of the Premises and Streets within the Burgh, including Provision for properly trapped Drains or Channels for the Removal of all waste Water and Refuse from such Premises and from the Surface of the Streets, and also to draw on such Plans the Lines that appear to him most advantageous for Main Sewers, and the best Outfalls for clearing the whole Burgh of Surface Moisture, and effecting the Drainage of the Subsoil, and to point out the most appropriate Means and Sites for the Collection and Sale of Filth and Refuse for Agricultural or other Purposes, and also to set forth any other Matters which may assist the Commissioners in carrying into execution, in an economical and effective Manner, the several Works required to be carried into execution under the Provisions of this Act, or which appear to be necessary for the Health and Convenience of the Inhabitants of the Burgh.

CCXXVII. That, before giving Notice of their Intention to construct any Work of which by this Act they are required to give Notice, the Commissioners shall cause Plans of the intended Work to be made, under the Direction of their Surveyor, on a Scale not less for a horizontal Plan than One Inch to Eighty-eight Feet, and for a Vertical Section not less than One Inch to Two Feet, and, in the Case of a Sewer, showing the Depth of such Sewer below the Surface of the Ground; and such Plans shall be deposited in the Office of the Commissioners, or some other convenient Place appointed for that Purpose, and shall be open at all reasonable Hours for the Inspection of all Persons interested therein during the Time for which such Notice is required to be given.

Sewers.

And with respect to the Improvement of Burghs, and to making .

Before giving Notice of Construction of Works, Plans to be prepared and deposited in the Office of the Commissioners, and be open to Inspection.

Commissioners may cause Maps to be engraved, &c., and pay Expenses out of Assessments.

Commissioners to cause Plans to be prepared of new Works or Alterations of existing Works.

making and maintaining the public Sewers, be it enacted as follows:

CCXXVIII. That all Sewers and Drains within the Burgh, whether existing at the Time when this Act is applied or made at any Time thereafter, (except Sewers and Drains the private Property of any Person or Persons, or made and used as of private Right by any Person or Persons for his or their own Profit, or for the Profit of Proprietors or Shareholders, and except Sewers and Drains made and used for the Purpose of draining, preserving, or improving Land, under any Local or Private Act of Parliament, or for the Purpose of irrigating Land,) shall vest in and belong to and be entirely under the Management and Control of the Commissioners.

Sewers, &c.
vested in
Commis-
sioners.

CCXXIX. That the Commissioners may, if they shall think fit, purchase the Rights, Privileges, Powers, and Authorities vested in any Person for making Sewers, or contract for the Use of any Sewers within the Burgh, or purchase any such Sewers, with or without the Buildings, Works, Materials, and Things belonging or appertaining thereto; and any Person to whom any such Rights, Privileges, Powers, Authorities, Sewers, Buildings, Works, Materials, or Things belong may sell and dispose of the same to or otherwise contract with the Commissioners; and in case of any such Sale, the Purchase Money shall be settled and applied to the same Uses and Trusts to which the Property purchased may have been subject at the Time of such Sale, and the Property purchased shall vest in and belong to the Commissioners purchasing the same, anything to the contrary notwithstanding: Provided always, that, notwithstanding any such Purchase, any Person who previously thereto may have acquired perpetual Right to use any Sewer so purchased shall be entitled to use the same, or any other Sewer substituted in lieu thereof, in as full and ample a manner as he would or might have done if such Purchase had not been made.

Power to
purchase,
&c. certain
Sewers.

CCXXX. That nothing in this Act contained shall be construed to authorize the Commissioners, contrary to or inconsistently with any private Right, to use, injure, or interfere with any Sewers or other Works already made or used for the Purpose of draining, preserving, or improving Land, under any Local or Private Act of Parliament, or for the Purpose of irrigating Lands, or to use, injure, or interfere with any Water-course, Stream, River, Dock, Basin, Wharf, Quay, or Towing Path in which the Owner or Occupier of any Lands, Mills, Mines, or Machinery, or the Proprietors of any Canal or Navigation, shall have Right and Interest, without Consent in Writing first had and obtained; and nothing herein contained shall

Private
Sewers or
Water-
courses,
&c. not to
be used
without
Consent.

shall prejudice or affect the Rights, Privileges, Powers, or Authorities given or reserved to any Person under any Local or Private Act of Parliament for the Drainage, Preservation, Improvement, or Irrigation of Land, or for or in respect of any Mills, Mines, Machinery, Canal, or Navigation, as last aforesaid.

Drainage Districts to be formed, subject to the Approval of the Sheriff.

CCXXXI. That the Commissioners shall from Time to Time, subject to the Approval of the Sheriff, divide the whole Burgh, if and as Occasion shall require, into separate Drainage Districts, having regard in such Division to the Nature of the Ground, to the main Lines of Sewers by which such separate Drainage Districts are or shall be drained, and to the equal Benefit, as far as may be, of all the Lands and Buildings to be comprised in any such Drainage District, and shall cause their Surveyor to define and describe the several Drainage Districts on a Plan of the Burgh to be made as aforesaid.

Power to Commissioners to construct Sewers where none exist, making Compensation to Owners of Property.

CCXXXII. That the Commissioners shall from Time to Time, subject to the Restrictions herein contained as to the Notice to be given, and the Plans and Estimates to be prepared, cause to be made under the Streets such Main and other Sewers as shall be necessary for the effectual draining of the Burgh, and also all such Reservoirs, Sluices, Engines, and other Works as shall be necessary for cleansing such Sewers, and, if needful, they may carry such Sewers through and across all underground Cellars and Vaults under any of the Streets, doing as little Damage as may be, and making full Compensation for any Damage done; and if for completing any of the aforesaid Works it be found necessary to carry them into or through any inclosed or other Lands, the Commissioners may carry the same into or through such Lands accordingly, making full Compensation to the Owners and Occupiers thereof, and they may also cause such Sewers to communicate with and empty themselves into the Sea or any public River, or they may cause the Refuse from such Sewers to be conveyed by a proper Channel to the most convenient Site for its Collection and Sale for agricultural or other Purposes, as may be deemed most expedient, but so that the same shall in no Case become a Nuisance: Provided always, that in making any such Main and other Sewers, or in repairing, reconstructing, or enlarging the same or existing Drains or Sewers, the Contents at present carried into any existing Outlet shall not be diverted therefrom to the Prejudice of any actual existing legal Right.

Commissioners may alter Sewers from Time to Time.

CCXXXIII. That the Commissioners may from Time to Time, as they see fit, repair, enlarge, alter, arch over, and otherwise improve all or any of the Sewers vested in them; and if any of such Sewers at any Time appear to them to have become

become useless, the Commissioners, if they think fit to do so, may demolish and discontinue such Sewer, provided that it be so done as not to create a Nuisance.

CCXXXIV. That if any Person, by means of any Enlargement, Alteration, or Discontinuance of any Sewer, or other Proceeding of the Commissioners, be deprived of the Use of any Sewer or Drain which such Person was theretofore lawfully entitled to use, the Commissioners shall provide some other Sewer or Drain equally effectual for such Purpose; and if the Commissioners refuse or do not within Seven Days next after Notice in Writing served upon them begin and thereupon diligently proceed to restore to its former effective State such Drain or Sewer the Use whereof has been affected by the Acts of the Commissioners, or to provide such other Sewer or Drain as aforesaid, they shall forfeit to the Person aggrieved any Sum not exceeding Forty Shillings for every Day after the Expiration of such Seven Days during which he is deprived of the Use of the Drain or Sewer to which he was so entitled, and is not provided with such other Drain or Sewer as aforesaid.

Commissioners not to destroy existing Sewers, &c. without providing others.
Penalty for Neglect.

CCXXXV. That before entering into any Contract for executing any such Work as aforesaid the Commissioners shall procure from their Surveyor an Estimate of the probable Expense of constructing the same in a substantial Manner, and of the yearly expense of maintaining the same in repair, and each Surveyor shall accompany such Estimate with a Report as to the most advantageous Mode of constructing such Work, whether under a Contract for constructing the same merely, or a Contract for constructing the same and maintaining it in repair during a given Term of Years.

Commissioners to cause Estimates to be prepared before Execution of Works.

CCXXXVI. That the Expense of making any new Sewer shall be defrayed as herein provided by special Sewer Rates to be levied on the Occupiers of all Premises within the Drainage District in which such Sewer is situated: Provided always, that where in the Judgment of the Commissioners any Premises were sufficiently drained before the making of such new Sewer, the Occupiers thereof shall be entitled to have such Deduction made from the special Sewer Rates to which they would otherwise be liable in respect of the making of such new Sewer, and for such Time as the Commissioners shall deem to be just, having regard to the Cost of making such new Sewer, and to the Value and Efficiency of such old Sewer; and whenever any old Sewer is enlarged, or open Sewer closed, the Expense of such Enlargement, or of closing such open Sewer, shall be defrayed in like Manner as if it had been incurred in making a new Sewer.

As to the Expense of making new Sewers. Where Premises were sufficiently drained before making new Sewer, Occupier to have a Reduction made in his Rates.

CCXXXVII. That

As to the
Expense of
maintain-
ing Sewers,
&c.

CCXXXVII. That the Expense of maintaining and cleansing all Sewers vested in the Commissioners, and all other Expenses connected with such Sewers not herein otherwise provided for, or which may not be fully defrayed by the special Sewer Rates, shall be defrayed by general Sewer Rates to be levied as herein provided on the Occupiers of all Premises within the Drainage District in which such Sewers are severally situated.

Penalty
for making
unautho-
rized
Drains.

CCXXXVIII. That every Person, not being employed for that Purpose by the Commissioners, who shall make any Drain into any of the Sewers or Drains so vested in the Commissioners, shall forfeit to the Commissioners a Sum not exceeding Five Pounds; and the Commissioners may cause such Branch Drain to be remade as they think fit, and all the Expense incurred thereby shall be paid by the Person making such Branch Drain, and shall be recoverable by the Commissioners as Damages.

Vaults and
Cellars
under
Streets not
to be made
without
the Con-
sent of the
Commis-
sioners.

CCXXXIX. That no Building shall be erected over any Sewer belonging to the Commissioners, and no Vault, Arch, or Cellar shall be made under the Carriageway of any Street, without the Consent of the Commissioners first obtained in Writing; and all such Vaults, Arches, and Cellars shall be substantially made, and so as not to interfere or communicate with any Sewers belonging to the Commissioners; and if after the Adoption of this Act by any Burgh, any Building be erected, or any Vault, Arch, or Cellar be made therein, contrary to the Provisions herein contained, the Commissioners may demolish or fill up the same, and the Expenses incurred thereby shall be paid by the Person erecting such Building, or making such Vault, Arch, or Cellar, and shall be recoverable as Damages.

Streets
may be
stopped up
during
Repairs.

CCXL. That the Commissioners may stop any Street, and prevent the same from being used as a common Passage or Thoroughfare, for a reasonable Time during the Construction, Alteration, Repair, or Demolition of any Sewer or Drain in or under such Street.

All Sewers,
&c. to be
covered
with Traps.

CCXLI. That all Sewers and Drains within the Burgh, whether public or private, shall be provided by the Commissioners or other Persons to whom they severally belong with proper Traps or other Coverings or Means of Ventilation so as to prevent Stench.

Sewers
may be
used by
Owners
and Occu-
piers of
Land be-

CCXLII. That any Person being the Owner or Occupier of any Lands beyond the Burgh, and in respect of which he would not be liable to the Payment of the Rates authorized to be levied under this Act, may, with the Consent of the Commissioners first obtained in Writing, upon Payment to them
of

of a reasonable Sum of Money to be agreed upon between them, at his own Expense, and under the Superintendence of the Surveyor of the Commissioners, cause to branch into and to communicate with any of the Sewers belonging to the Commissioners any Sewer or Drain in respect of the said Property which may be lawfully made therefrom, of such Size and in such Manner and Form of Communication as the Commissioners approve of: Provided always, that nothing in this Act contained shall affect any Right theretofore acquired by such Owner or Occupier to use any of the Sewers or Drains belonging to the Commissioners.

CCXLIII. Provided always, That as regards the making, altering, and maintaining Sewers and Drains, it shall be lawful for any Person whose Property may be taken or affected, or thinking himself thereby aggrieved, to appeal thereon to the Sheriff in manner hereinafter mentioned.

Persons
aggrieved
by making,
&c. Sewers
may appeal
to the
Sheriff.

And with respect to the Improvement of Burghs, and to the Drainage of Houses, be it enacted as follows:—

CCXLIV. That if any House or Building within the Burgh be at any Time not drained by a sufficient Drain or Pipe communicating with some Sewer, or with the Sea or some public River, to the Satisfaction of the Commissioners, and if there shall be such Means of Drainage within One hundred Feet of any Part of such House or Building, the Commissioners shall construct or lay from such House or Building a covered Drain or Pipe, of such Materials, of such Size, at such Level, and with such Fall, as they think necessary for the Drainage of such House or Building, its Areas, Water-closets, Privies, and Offices; provided that the Cost of executing such Work shall not, without the written Consent of the Owner, exceed One Year's Rack Rent of such House or Building; and the Expenses incurred by the Commissioners in respect thereof, if not forthwith paid by the Owner or Occupier, shall be defrayed by the Drainage Rates herein authorized to be levied.

*House
Drains.*

Commis-
sioners em-
powered to
construct
Drains
from
Houses
charging
Owners,
&c. with
the Ex-
pense.

CCXLV. That no House or Building within the Burgh shall be built upon a lower Level than will allow of the Drainage of the Wash and Refuse of such House or Building into some Sewer belonging to the Commissioners either then existing or marked out upon the Map hercin-before directed to be made by them, or into the Sea, or some public River into which the Commissioners are empowered to empty their Sewers; and if there be such Means of Drainage existing within One hundred Feet of such intended House or Building, the Commissioners shall cause a Drain leading thereunto from the intended Site of such House, to be made of such Materials, of such Size, at such Level, and with such Fall, as they think fit; or

No House
to be here-
after built
without
Drains
being con-
structed.

if

if there be no such Means of Drainage within One hundred Feet of any Part of the said intended Site of such House or Building, then such Drain shall be made so as to lead into such covered Cesspool or other Place as the Commissioners direct, not being under any Dwelling-House, and constructed to the Satisfaction of the Commissioners, so as effectually to prevent the Escape of the Contents thereof, until such Sewer as afore-said is made by the Commissioners, when they shall make a Drain to communicate with such new-made Sewer, and shall demolish and fill up any such Cesspool.

Where Houses are rebuilt, the Level shall be sufficient to allow a Drain to be constructed.

CCXLVI. That whenever any House is rebuilt within the Burgh, the Level of the Cellar or other lowest Floor of such House shall be raised sufficiently to allow of the Construction of such a Drain as is herein-before provided in the Case of Houses to be built after the Adoption of this Act: and whenever any House is taken down to or below the Roof of the Floor commonly called the Ground or Street Floor, for the Purpose of being built up again, such building shall be deemed a rebuilding within the Meaning of this Act.

Notice of Buildings and Re-buildings to be given to the Commissioners.

CCXLVII. That before beginning to build any new House, or to rebuild any existing House within the Burgh, the Person intending to build or rebuild such House shall give to the Commissioners Notice thereof in Writing, and shall accompany such Notice with a Plan showing the Level at which the Foundation of such House is proposed to be laid, by reference to some Level ascertained under the Direction of the Commissioners.

Commissioners may signify Disapproval within Fourteen Days.

CCXLVIII. That within Fourteen Days after receiving such Notice the Commissioners may signify their Disapproval of the Level at which it is proposed to lay the Foundation of any such House, and in Case of such Disapproval may, within the said Fourteen Days, fix the Level at which the same is to be laid, but subject to Appeal to the Sheriff, if such Appeal shall be entered within Two Weeks from the Date of the Intimation of such Disapproval; and the Decision of the Sheriff, if such Appeal be taken, or the Deliverance of the Commissioners, if not appealed to the Sheriff, shall be final.

Commissioners may cause Houses built without Notice, or contrary to Provisions of this Act, to be altered.

CCXLIX. That in default of sending such Notice and Plan, or if such Building be begun or made at any Level different from that fixed by the Commissioners, within the said Fourteen Days, or determined on Appeal as after mentioned, or in any other respect contrary to the Provisions of this Act, the Commissioners may, if necessary, cause such Building to be altered or demolished, as the Case requires, and the Expense incurred by the Commissioners in respect thereof shall be repaid to them

by

by the Person failing to comply with the Provision aforesaid, and shall be recoverable as Damages.

CCL. Provided always, That if the Commissioners fail to signify in Writing their Approval or Disapproval of the Level shown on such Plan as aforesaid, within Fourteen Days after receiving such Notice and Plan as aforesaid, the Person giving such Notice may, notwithstanding anything herein contained, proceed to build or rebuild the House therein referred to according to the Level shown on such Plan, provided that such building or rebuilding be otherwise in accordance with the Provisions of this Act.

If Commissioners fail to signify their Approval, &c. within Fourteen Days, Parties may proceed without.

CCLI. That the Commissioners may require the Owner of every House within the Burgh to which no sufficient Privy is attached to provide, where it appears to them that there is Room enough for the Purpose, such Privy, in such Situation, not disturbing any Building then already erected, as the Commissioners deem necessary for the Use of the Inmates and Occupiers thereof; and every such Privy shall be constructed to the Satisfaction of the Commissioners, so as effectually to prevent the Escape of the Contents thereof: Provided always, that where a Privy is used in common by the Inmates and Occupiers of Two or more such Houses, the Commissioners may, if they think fit, dispense with the providing of a Privy for each such House.

Power to Commissioners to require Owners of Houses to provide Privies for the same.

CCLII. That the Owner of any such House shall provide the same with a Privy as aforesaid, to the Satisfaction of the Commissioners, within One Month next after Notice in Writing for that Purpose given by the Commissioners to him or to the Occupier of such House, and in default thereof the Commissioners shall cause such Privy to be provided, so nevertheless that the Cost of executing such Work shall not, without the written Consent of the Owner, exceed One Year's Rack Rent of such House; and the Expense incurred thereby shall be defrayed by the Drainage Rates by this Act authorized to be levied.

Penalty for neglecting to provide Privies, &c.

CCLIII. That it shall be lawful for the Commissioners to make such Provision as they shall think fit for the due Removal of the Ashes and other Refuse of each House within the Burgh by the Occupier or Occupiers of such House.

Commissioners to provide for Removal of Ashes.

CCLIV. That if at any Time it shall appear to the Commissioners, upon the Report of their Surveyor, that any House is used or intended to be used as a School, or Factory or Building in which Persons of both Sexes, and above Twenty in Number, are employed or intended to be employed at One Time in any Manufacture, Trade, or Business, the Commissioners may, if they shall think fit, by Notice in Writing to the Owner or Occupier

Certain Water-closets to be constructed in Factories, &c.

Occupier of such House, require them or either of them, within a Time to be specified in such Notice, to construct a sufficient Number of Water-closets or Privies for the separate Use of each Sex ; and whosoever neglects or refuses to comply with any such Notice shall be liable for each Default to a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Forty Shillings for every Day during which the Default is continued.

Drains,
Privies,
and Cess-
pools to be
kept in
good Or-
der by
Owners.

If Owners
neglect,
Commis-
sioners
may cause
the same
to be done,
and charge
the Own-
ers with
the Ex-
pense.

CCLV. That all Branch Drains as well within as without the Premises to which they belong, and all Privies, Ashpits, and Cesspools within the Burgh, shall be under the survey and Control of the Commissioners, and shall be altered, repaired, and kept in proper Order, at the Costs and Charges of the Owners of the Premises to which the same belong or for the Use of which they are constructed or continued ; and if the Owner and Occupier of any Premises to which any such Drain, Privy, Ashpit, or Cesspool belongs neglect, during Seven Days after Notice in Writing for that Purpose, to alter, repair, and to put the same into good Order in the Manner required by the Commissioners, the Commissioners may cause such Drain, Privy, Ashpit, or Cesspool to be altered, repaired, covered, and put in good Order ; and the Expense incurred by the Commissioners in respect thereof shall be repaid to them by the Owners by whom the same ought to have been done, and shall be recoverable as Damages.

As to the
Inspection
of Drains,
Privies,
and Cess-
pools.

CCLVI. That the Surveyor of the Commissioners may inspect any Drain, Privy, Ashpit, or Cesspool within the Burgh, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing to the Occupier of the Premises to which such Drain, Privy, Ashpit, or Cesspool, is attached, may enter upon any Premises, with such Assistants and Workmen as are necessary, and cause the Ground to be opened where he thinks fit, doing as little Damage as may be ; and if such Drain, Privy, Ashpit, or Cesspool be found to be in proper Order and Condition, he shall cause the Ground to be closed and made good as soon as may be ; and the Expenses of opening, closing, and making good such Drain, Privy, Ashpit, or Cesspool shall in that Case be defrayed by the Commissioners.

Penalty on
Persons
making or
altering
Drains, &c.
contrary to
the Orders
of the Com-
missioners.

CCLVII. That if any such Drain, Privy, or Cesspool be on Inspection found to have been constructed, after the Adoption of this Act, contrary to the Directions and Regulations of the Commissioners, or contrary to the Provisions of this Act, or if any Person, without the Consent of the Commissioners, construct, rebuild, or unstop any Drain, Privy, or Cesspool which has been ordered by them to be demolished or stopped up

up or not to be made, every Person so doing shall be liable to a Penalty not exceeding Five Pounds; and the Commissioners may cause such Amendment or Alteration to be made in any such Drain, Privy, or Cesspool as they think fit; and the Expense attending any such Amendment or Alteration shall be paid by the Person by whom such Sewer was improperly constructed, rebuilt, or altered, and shall be recoverable from him as Damages.

CCLVIII. Provided always, That as regards House Drains, and the building or rebuilding any House, it shall be lawful for any Person whose Property may be thereby taken or affected, and thinking himself thereby aggrieved, to appeal thereon to the Sheriff in Manner herein-after mentioned. Parties aggrieved may appeal to the Sheriff.

And with respect to the Improvement of Burghs, and to laying out new Streets in the same, be it enacted as follows: *New Streets.*

CCLIX. That every Person who intends to make or lay out any new Street shall give Notice thereof to the Commissioners, in order that the Level of such Street may be fixed by the Commissioners: Provided always, that where any Street has, previous to the First Day of *May* One thousand eight hundred and fifty, been in whole or in part the subject of any Contract now existing, the same shall not be held or taken to be a new Street within the Meaning of this Act. Notice of Intention to lay out new Streets to be given to Commissioners.

CCLX. That the Level of every such new Street shall be fixed by the Commissioners within Six Weeks after the Delivery of such Notice, but subject to Appeal to the Sheriff, if such Appeal shall be entered within Three Weeks from the Date of Intimation of such Deliverance by the Commissioners; and the Decision of the Sheriff, if such Appeal be taken, or such Deliverance by the Commissioners if not appealed to the Sheriff, shall be final; and the Level so fixed shall be kept thereafter by every Person raising any House or other Building in such Street. Levels to be fixed by the Commissioners.

CCLXI. That if the Commissioners do not fix such Level within Six Weeks from the Time of the Delivery of such Notice as aforesaid, the Person giving such Notice may proceed to lay out the Street at any Level which will allow of Compliance with the other Provisions of this Act, as if such Level had been fixed by the Commissioners; and in such Case every Change of the Level which the Commissioners afterwards deem requisite, and the Works consequent thereon, shall be made by the Commissioners, and the Expense thereof, and any Damage which any Person sustains in consequence of such Alteration, shall be defrayed by them. If the Commissioners fail to fix the Level, the Party may proceed without.

CCLXII. That every Person who makes or lays out any such Persons laying out

Streets
without
Notice to
be liable to
the Ex-
penses of
subsequent
Alter-
ations of
Levels.

such new Street as aforesaid, without causing such Notice to be given to the Commissioners as aforesaid, shall be liable to defray all the Expenses consequent upon any Change of the Level of the said Street deemed requisite by the Commissioners; and every Person who in building any House or other Building in such Street does not keep the Level fixed by the Commissioners, shall be liable to defray all the Expenses consequent upon any Change of the Level of that Part of the Street on which such House or Building abuts which the Commissioners deem requisite.

Situation
of Gas and
Water
Pipes to be
altered at
the Ex-
pense of the
Commis-
sioners.

CCLXIII. That for the Purposes of this Act, if the Commissioners deem it necessary to raise, sink, or otherwise alter the Situation of any Water Pipe or Gas Pipe, or other Waterworks or Gasworks laid in any of the Streets, they may from Time to Time, by Notice in Writing, require the Person to whom any such Pipes or Works belong to cause forthwith, as soon as conveniently may be, any such Pipes or Works to be raised, sunk, or otherwise altered in Position in such Manner as the Commissioners direct; provided that such Alteration be not such as permanently to injure such Works, or to prevent the Water or Gas from flowing as freely and conveniently as before; and the Expenses attending such raising, sinking, or altering, and full Compensation for every Damage done thereby, shall be paid by the Commissioners, as well to the Persons to whom such Pipes or Works belong as to all other Persons.

If Gas or
Water
Company
neglect to
make the
Alteration,
the Com-
missioners
may cause
the same to
be done.

CCLXIV. That if the Person to whom any such Pipes or Works belong do not proceed forthwith, or as soon as conveniently may be after the Receipt of such Notice, to cause the same to be raised, sunk, or altered, in such Manner as the Commissioners require, the Commissioners may themselves cause such Pipes or Works to be raised, sunk, or altered as they think fit; provided that such Works be not permanently injured thereby, or the Water or Gas prevented from flowing as freely and conveniently as before.

As to the
Width of
new
Streets.

CCLXV. That it shall not be lawful to make or lay out any new Street unless and until the proposed Width thereof shall, with reference to the Height of the Houses and other Circumstances, be approved of by the Sheriff.

Parties
aggrieved
may appeal
to the
Sheriff.

CCLXVI. Provided always, That as regards the making and laying out any new Streets, and fixing the Levels thereof, it shall be lawful for any Person whose Property may be taken or affected, and thinking himself thereby aggrieved, to appeal thereon to the Sheriff in manner herein-after mentioned.

Naming
Streets.

And with respect to the Improvement of Burghs, and to naming the Streets and numbering the Houses, be it enacted as follows:

CCLXVII. That

CCLXVII. That the Commissioners shall from Time to Time cause the Houses and Buildings in all or any of the Streets to be marked with Numbers as they think fit, and shall cause to be put up or painted on a conspicuous Part of some House, Building, or Place, at or near each End, Corner, or Entrance of every such Street, the Name by which such Street is to be known; and every Person who destroys, pulls down, or defaces any such Number or Name, or puts up any Number or Name different from the Number or Name put up by the Commissioners, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Houses to be numbered and Streets named.

CCLXVIII. That the Owners of Houses and other Buildings in the Streets shall mark their Houses with such Numbers as the Commissioners approve of, and shall renew such Numbers as often as they become obliterated or defaced; and every such Owner who fails, within One Week after Notice for that Purpose from the Commissioners, to mark his House with a Number approved of by the Commissioners, or to renew such Number when obliterated, shall be liable to a Penalty not exceeding Forty Shillings; and the Commissioners shall cause such Numbers to be marked or to be renewed, as the Case may require, and the Expense thereof shall be repaid to them by such Owner, and shall be recoverable as Damages.

Numbers of Houses to be renewed by Owner.

And with respect to the Improvement of Burghs, and to improving the Line of the Streets, and removing Obstructions, be it enacted as follows:

Improving Streets.

CCLXIX. That the Commissioners may allow, upon such Terms as they think fit, any Building within the Burgh to be set forward, for improving the Line of the Street in which such Building, or any Building adjacent thereto, is situated.

Houses may be set forward for improving Line of Street.

CCLXX. That the Commissioners may agree with the Owners of any Lands within the Burgh for the absolute Purchase thereof, for the Purpose of widening, enlarging, or otherwise improving any of the Streets, and they shall resell any Parts of the Land so purchased which shall not be wanted for the Enlargement of the Street.

Power to purchase Houses, &c. for additional Improvements.

CCLXXI. That when any House or Building, any Part of which projects beyond the regular Line of the Street, or beyond the Front of the House or Building on either Side thereof, has been taken down in order to be rebuilt or altered, the Commissioners may require the same to be set backwards to or toward the Line of the Street, or the Line of the adjoining Houses or Buildings, in such Manner as the Commissioners direct, for the Improvement of such Street: Provided always, that the Commissioners shall make full Compensation to the

Houses projecting beyond Line of Street, when taken down, to beset back.

Owner

Owner of any such House or Building for any Damage he thereby sustains.

Future Projections of Houses, &c. to be removed, on Notice.

CCLXXII. That the Commissioners may give Notice to the Occupier of any House or Building to remove or alter any Porch, Shed, projecting Window, Step, Cellar, Cellar Door or Window, Sign, Sign-post, Sign-iron, Showboard, Window Shutter, Wall, Gate, or Fence, or any other Obstruction or Projection, erected or placed, after the Adoption of this Act, against or in front of any House or Building within the Burgh, and which is an Obstruction to the safe and convenient Passage along any Street; and such Occupier shall, within Fourteen Days after the Service of such Notice upon him, remove such Obstruction, or alter the same in such Manner as shall have been directed by the Commissioners, and in default thereof shall be liable to a Penalty not exceeding Forty Shillings; and the Commissioners in such Case may remove such Obstruction or Projection, and the Expense of such Removal shall be paid by the Occupier so making default, and shall be recoverable as Damages: Provided always, that, except in the Case in which such Obstructions or Projections were made or put up by the Occupier, such Occupier shall be entitled to deduct the Expense of removing the same from the Rent payable by him to the Owner of the House or Building.

Commissioners may cause existing Projections to be removed and Compensation to be made.

CCLXXIII. That if any such Obstructions or Projections were erected or placed against or in front of any House or Building in any such Street before the Adoption of this Act, the Commissioners may cause the same to be removed or altered as they think fit, provided that they give Notice of such intended Removal or Alteration to the Occupier of the House or Building against or in front of which such Obstruction or Projection shall be, Thirty Days before such Alteration or Removal is begun; and, if such Obstructions or Projections shall have been lawfully made, they shall make reasonable Compensation to every Person who suffers Damage by such Removal or Alteration.

Doors in future to be made to open inwards.

CCLXXIV. That all Doors, Gates, and Bars put up after the Adoption of this Act within the Burgh, and which open upon any Street, shall be hung or placed so as not to open outwards, except when, in the Case of public Buildings, the Commissioners allow such Doors, Gates, or Bars to be otherwise hung or placed; and if, except as aforesaid, any such Door, Gate, or Bar be hung or placed so as to open outwards on any Street, the Occupier of the Premises to which such Door, Gate, or Bar is attached shall, within Eight Days after Notice from the Commissioners to that Effect, cause the same to be altered so as not to open outwards; and in case he neglect

neglect so to do the Commissioners may make such Alteration, and the Expenses of such Alteration shall be paid to the Commissioners by such Occupier, and shall be recoverable from him as Damages, and he shall, in addition, be liable to a Penalty not exceeding Forty Shillings.

CCLXXV. That if any such Door, Gate, or Bar was before the Adoption of this Act hung so as to open outwards upon any Street, the Commissioners may alter the same, so that no Part thereof when open shall project over any public Way.

Doors opening outwards may be altered.

CCLXXVI. That when any Opening is made in any Pavement or Footpath within the Burgh as an Entrance into any Vault or Cellar, a Door or Covering shall be made by the Occupier of such Vault or Cellar of Iron or such other Materials and in such Manner as the Commissioners direct, and such Door or Covering shall from Time to Time be kept in good Repair by the Occupier of such Vault or Cellar; and if such Occupier do not within a reasonable Time make such Door or Covering, or if he make any such Door or Covering contrary to the Directions of the Commissioners, or if he do not keep the same when properly made in good Repair, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Coverings for Cellar Doors to be made by Occupier.

Penalty for Neglect.

CCLXXVII. That the Owner of every House or Building in, adjoining, or near to any Street shall, within Seven Days next after Service of an Order of the Commissioners for that Purpose, put up, and keep in good Condition, a Shoot or Trough of the whole Length of such House or Building, and shall connect the same either with a similar Shoot on the adjoining House or with a Pipe or Trunk to be fixed to the Front or Side of such Building from the Roof to the Ground, to carry the Water from the Roof thereof, in such Manner that the Water from such House, or any Portico or Projection therefrom, shall not fall upon the Persons passing along the Street, or flow over the footpath; and in default of Compliance with any such Order within the Period aforesaid such Owner shall be liable to a Penalty not exceeding Forty Shillings for every Day that he shall so make default.

Water-spouts to be affixed to Houses or Buildings.

CCLXXVIII. Provided always, That as regards the improving the Line of any Street and removing Obstructions it shall be lawful for any Person whose Property may be taken or affected, and thinking himself thereby aggrieved, to appeal thereon to the Sheriff in manner herein-after mentioned.

Parties aggrieved may appeal to the Sheriff.

And with respect to the Improvement of Burghs, and to ruinous or dangerous Buildings, be it enacted as follows:

Ruinous or dangerous Buildings.

CCLXXIX. That if any Building or Wall, or any Thing affixed thereon, within the Burgh, be deemed by the Surveyor of dangerous

Ruinous or dangerous of dangerous

Buildings to be taken down or secured by Owners, &c.

of the Commissioners to be in a ruinous State, and dangerous to Passengers or to the Occupiers of the neighbouring Buildings, such Surveyor shall immediately cause a proper Hoard or Fence to be put up for the Protection of Passengers, and shall cause Notice in Writing to be given to the Owner of such Building or Wall, if he be known and resident within the Burgh, and shall also cause such Notice to be put on the Door or other conspicuous Part of the said Premises, or otherwise to be given to the Occupier thereof, if any, requiring such Owner or Occupier forthwith to take down, secure, or repair such Building, Wall, or other Thing, as the Case shall require; and if such Owner or Occupier do not begin to repair, take down, or secure such Building, Wall, or other Thing within the Space of Three Days after any such Notice has been so given or put up as aforesaid, and complete such Repairs or taking down or securing as speedily as the Nature of the Case will admit, such Surveyor may make Complaint thereof to the Sheriff, and it shall be lawful for the Sheriff, to order the Owner, or in his Default the Occupier (if any,) of such Building, Wall, or other Thing, to take down, rebuild, repair, or otherwise secure, to the Satisfaction of such Surveyor, the same, or such Part thereof as appears to them to be in a dangerous State, within a Time to be fixed by the Sheriff; and in case the same be not taken down, repaired, rebuilt, or otherwise secured within the Time so limited, or if no Owner or Occupier can be found on whom to serve such Order, the Commissioners shall with all convenient Speed cause all or so much of such Building, Wall, or other Thing as shall be in a ruinous Condition and dangerous as aforesaid to be taken down, repaired, rebuilt, or otherwise secured in such Manner as shall be requisite; and all the Expenses of putting up every such Fence, and of taking down, repairing, rebuilding, or securing such Building, Wall, or other Thing, shall be paid by the Owner thereof.

The Expenses to be levied on the Owner.

CCLXXX. That if such Owner can be found within the Burgh, and if, on Demand of the Expenses aforesaid, he neglect or refuse to pay the same, the Sheriff shall, on a Certificate of such Demand, and Neglect or Refusal, signed by Two of the Commissioners, grant Decree against such Owner for Payment thereof, on which Decree all legal Diligence may proceed, or the Commissioners may proceed against such Owner in the Sheriff Small Debt Court, or otherwise as accords of Law.

If Owner cannot be found, Commis-

CCLXXXI. That if such Owner cannot be found within the Burgh, or if such Expenses are not otherwise fully recovered, the Commissioners, after giving Twenty-eight Days Notice

Notice of their Intention to do so, by posting a printed or written Notice in a conspicuous Place on such Building, or on the Land whereon such Building stood, may take such Building or Land, provided that such Expenses be not paid or tendered to them within the said Twenty-eight Days, making Compensation to the Owner of such Building or Land in the Manner provided by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," in the Case of Lands taken otherwise than with the Consent of the Owners and Occupiers thereof, and the Commissioners shall be entitled to deduct out of such Compensation the Amount of the Expenses aforesaid, and may thereupon sell or otherwise dispose of the said Building or Land for the Purposes of this Act.

sioners may take the House or Ground, making Compensation.

CCLXXXII. That if any such House or Building as aforesaid, or any Part of the same, be pulled down by virtue of the Powers aforesaid, the Commissioners may sell the Materials thereof, or so much of the same as shall be pulled down, and apply the Proceeds of such Sale in Payment of the Expenses incurred in respect of such House or Building; and the Commissioners shall restore any Overplus arising from such Sale to the Owner of such House or Building, on Demand; nevertheless, the Commissioners, although they sell such Materials for the Purposes aforesaid, shall have the same Remedies for compelling the Payment of so much of the said Expenses as may remain due after the Application of the Proceeds of such Sale as are herein-before given to them for compelling the Payment of the whole of the said Expenses.

Commissioners may sell the Materials, restoring to the Owner Overplus arising from the Sale.

And with respect to the Improvement of Burghs, and to Objections to the Works to be constructed by or subject to the Approval of the Commissioners, and Appeal to the Sheriff from the Decision of the Commissioners, be it enacted as follows:

Objections to Works.

CCLXXXIII. That Twenty-eight Days at the least before fixing the Level of any Street which has not been theretofore levelled or paved, and before making any Sewer where none was before, or altering the Course or Level of or abandoning or stopping any Sewer, the Commissioners shall give Notice of their intention by posting a printed or written Notice in a conspicuous Place at each End of every such Street through or in which such Work is to be undertaken, which Notice shall set forth the Name or Situation of the Street intended to be levelled or paved, and the Names of the Places through or near which it is intended that the new Sewer shall pass, or the existing Sewer be altered or stopped up, and also the Places of the Beginning and the End thereof, and shall refer to Plans of such intended Work, and shall specify a Place where

Commissioners to give Notice of new Levels or Sewers.

where such Plans may be seen, and a Time when and Place where all Persons interested in such intended Work may be heard thereupon.

Meeting of
Commissioners to
hear Ob-
jections.

CCLXXXIV. That the Commissioners shall meet at the Time and Place mentioned in the said Notice, to consider, in the Presence of the Surveyor of the Commissioners, any Objections made against such intended Work, and all Persons interested therein, or likely to be aggrieved thereby, shall be entitled to be heard before the Commissioners at such Meeting; and thereupon the Commissioners may, in their Discretion, abandon or make such Alterations in the said intended Work as they judge fit; and no such Work to which any Objection is made at such Meeting shall be executed unless the Surveyor of the Commissioners, after the Person making such Objection or his Agent has been heard, certify that the Work in his Judgment ought to be executed, nor shall such Work be begun until the End of Seven Days after an Order for the Execution thereof has been duly made by the Commissioners, and entered in their Books.

Persons
aggrieved
by Orders
of Commis-
sioners
may appeal
to the
Sheriff.

CCLXXXV. That any Person liable to pay or to contribute towards the Expense of any of the Works aforesaid, or otherwise aggrieved by any Order of the Commissioners, relating thereto, may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Commissioners that he intends to appeal against such Order to the Sheriff, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Four Days next after giving such Notice the Party grant Bond to the Sheriff, with Two sufficient Cautioners to the Satisfaction of the Sheriff, to abide the Order of the Sheriff, and pay such Costs as shall be awarded by the Sheriff thereupon, the Work so appealed against shall not be begun until after the Judgment of the Sheriff upon such Appeal; and the Sheriff, upon due Proof of such Notice, and upon such Caution being found, shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying the same, and shall award such Costs to either of the Parties, as the Sheriff in his Discretion thinks fit: Provided always, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given and such Caution found as aforesaid, nor on the hearing of such Appeal shall he go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

Notice to
be given
by Com-
missioners,

CCLXXXVI. And in respect to Appeal as to all other Matters and Things which the Commissioners are by this Act empowered to do or perform or to authorize to be done or performed,

formed, and the Cost attending which is by this Act directed to be provided for by way of Private or District Assessment, the Commissioners shall, where not otherwise hereby directed, give Notice of their Intention to do or perform or to authorize to be done or performed such Matter or Thing, either by public Advertisement in some Newspaper circulating in the Burgh or in the County in which the Burgh is situated, or by posting Handbills in conspicuous Places in the Burgh, or by Notice in Writing to be transmitted through the Post Office or delivered personally or at their Dwelling Houses to the Individuals having Interest, as the Commissioners shall think proper; and it shall be lawful for any Person whose Property shall be taken or affected, and who shall consider himself injured or aggrieved in respect of such other Matters and Things by this Act so directed to be done or performed and provided for, to appeal to the Sheriff from any Order made or Notice given by the Commissioners in respect of such Matters or Things, in the Manner and to the Effect herein last before provided and directed; and if such Matter or Thing shall not be made the Subject of Appeal to the Sheriff, or being appealed shall be allowed by him, the Commissioners may proceed with the same, and levy the Assessments in reference thereto authorized by this Act: Provided always, that the Decision of the Sheriff shall in all Cases be final and conclusive, and not subject to Review by Suspension, Reduction, or Advocation, or in any manner of way.

and Appeal
to the Sher-
riff.

Decision of
the Sheriff
to be final.

CCLXXXVII. And with respect to the Improvement of Burghs, and to the Construction of Houses for Prevention of Fire, be it enacted, That the Party Walls of all Buildings erected after the Adoption of this Act by any Burgh shall be carried through and above the Roof, to form a Parapet of not less than Twelve Inches in Height, measured at Right Angles with the Slope of the Roof, above the Covering of the Roof of the highest Building to which such Party Walls belong; and all such Party Walls, and the external Walls of all Buildings, erected after the Adoption of this Act, in or near any Street, or within the Curtilage of any House adjoining any Street, shall be constructed of incombustible Materials, and the Coverings of the Roof thereof shall not, without the previous Consent in Writing of the Commissioners, be constructed of combustible Materials; and it shall not be lawful for the Owner of any Building within the Burgh, having at the Date of the Adoption by such Burgh of this Act a Roof covered with Thatch or other combustible Material, and contiguous to or adjoining to any other Building, to suffer such covering to such Roof to remain for a longer Period than Seven Years after

*Prevention
of Fire.*

Party
Walls to
be carried
up through
the Roof.

Walls of
Buildings
and Cover-
ings of
Roofs to
be made
of incomb-
ustible
Materials.

after such Adoption of this Act, unless with the Consent in Writing of the Commissioners; and every Person who shall erect any Building, or cover any Roof, or suffer the Covering of any Roof to continue, contrary to the Provision herein contained, and who shall not remove or alter the same within One Month after Notice given to him for that Purpose by the Commissioners, shall be liable to a Penalty not exceeding One Pound for every Day that such Building or Covering to such Roof shall so continue.

Ventilation.
—

And with respect to the Improvement of Burghs, and to supplying Buildings with fresh Air, be it enacted as follows:

Regulating Construction of Buildings intended as Places for public Meetings.

No Person to begin to build until Plan has been approved by Commissioners.

CCLXXXVIII. That before beginning to build any Building intended to be used as a Church, Chapel, or School, or a Place of public Amusement or Entertainment, or for holding large Numbers of People for any Purpose whatsoever, within the Burgh, the Person intending to build the same shall give Fourteen Days Notice in Writing to the Commissioners, and shall accompany such Notice with a Plan and Description of the Manner proposed for its Construction, with respect to the Means of supplying fresh Air to such Building; and no Person shall begin to build such Building until the Manner proposed for its Construction, with respect to the Means for supplying fresh Air, have been approved of by the Commissioners; and in default of sending such Notice, or if any such Building be erected without such Approval, the Commissioners may cause such Building, or such Part of it as they consider necessary, to be pulled down or altered, at the Expense of the Owner, and any Expense incurred by the Commissioners in so doing may be recovered as herein-before provided with respect to ruinous or dangerous Buildings taken down or repaired by the Commissioners.

If Commissioners fail to signify their Approval of Plan within Seven Days, Party may proceed to build.

CCLXXXIX. Provided always, That if the Commissioners fail to signify in Writing their Approval or Disapproval of the Manner of Construction of such Building, with respect to the Means of supplying fresh Air shown on such Plan and Description as aforesaid, within Seven Days after receiving such Notice, accompanied by such Plan and Description, the Person giving such Notice may, notwithstanding anything herein contained, proceed to build the Building therein referred to in the Manner shown on such Plan and Description, provided that such Building be otherwise in accordance with the Provisions of this Act.

Persons may appeal against

CCXC. Provided also, That if the Person so intending to build be dissatisfied with the Determination of the Commissioners as to the said proposed Manner of Construction, he shall

shall have the same Right of Appeal against the Determination of the Commissioners, and such Appeal shall be conducted in the same Manner, as herein-before provided in the Case of Appeals against any Order of the Commissioners with respect to Works to be constructed by or subject to the Approval of the Commissioners.

Determination of Commissioners.

CCXCI. That it shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar under any House in any Court within the Burgh, after the Commissioners have given Notice to the Owners thereof that the letting of Cellars as Dwelling Places in such Court is prohibited from that Time forth; and it shall be the Duty of the Commissioners to issue such Notices from Time to Time, as soon as is convenient, until such Notice has been given with respect to every Court within the Burgh.

Cellars in Courts not to be occupied as Dwellings after letting prohibited.

CCXCII. That it shall not be lawful, after Prohibition by the Commissioners, to let or occupy or suffer to be occupied separately as a Dwelling, any Vault, Cellar, or underground Room (not being entirely open on One or other of its Sides) built or rebuilt after the Adoption of this Act, or which shall not have been so let or occupied before the Adoption of this Act, and it shall not be lawful, after such Prohibition, to let or continue to let, or to occupy or suffer to be occupied, separately as a Dwelling, any Vault, Cellar, or underground Room (not being entirely open on One or other of its Sides) whatsoever, which Vault, Cellar, or Room shall be less in Height from the Floor to the Ceiling than Seven Feet, or which shall be less than One Third of its Height above the Level of the Street or Ground adjoining the same, or otherwise shall not have Three Feet at least of its Height from the Floor to the Ceiling above the said Level, with an open Area of Two Feet and Six Inches wide from the Level of the Floor of such Vault, Cellar, or Room up to the Level of the said Street or Ground, or which shall not have appurtenant thereto the Use of a Water-closet or Privy, or which shall not also have a glazed Window made to open to the full Extent of the Half thereof, the Area of which is not less than Nine Superficial Feet clear of the Frame, and a Fireplace, with a Chimney or Flue, or which Vault or Cellar, being an inner or back Vault or Cellar let or occupied along with a front Vault or Cellar as Part of the same Letting or Occupation, has not a ventilating Flue, (unless such inner or back Vault or Cellar shall be Part of a House built before the Adoption of this Act,) or which shall not be well and effectually drained by means of a Drain the uppermost Part of which is One Foot at least below the Level of the Floor of such Vault, Cellar, or Room; but any Person considering

No Cellars under the Height of Seven Feet from the Floor to the Ceiling to be let as Dwellings.

considering himself aggrieved by any such Prohibition may within Ten Days after the same is made known to him appeal against the same to the Sheriff.

Penalty on letting such Cellars as Dwelling Places.

CCXCIII. That every Person who lets separately, or who knowingly suffers to be occupied for Hire as a Dwelling, any Vault, Cellar, or Room within the Burgh, contrary to the Provisions of this Act, shall be liable to a Penalty not exceeding Twenty Shillings, and a further Penalty not exceeding Five Shillings for every Day during which such Vault, Cellar, or Room is so occupied after Conviction of the First Offence.

Water.

And with respect to the Improvement of Burghs, and to the Supply of Water, be it enacted as follows:

Power to Commissioners to construct public Cisterns and Pumps for Supply of Water to Baths and Wash-houses.

CCXCIV. That the Commissioners shall cause all existing public Cisterns, Pumps, Wells, Conduits, and other Waterworks used for the gratuitous Supply of Water to the Inhabitants within the Burgh to be continued, maintained, and supplied with Water, or they shall substitute other such Works equally convenient, and shall cause them to be maintained and supplied with Water; and such public Cisterns and other Works shall be vested in the Commissioners, and be under their Management and Control; and the Commissioners may construct any Number of new Cisterns, Pumps, Conduits, and other Waterworks for the gratuitous Use of any Persons who choose to carry the same away, not for Sale, but for their own private Use, and may supply with Water any public Baths or Wash-houses.

Commissioners may contract for Supply of Water.

CCXCV. That the Commissioners may contract, for any Period not exceeding Three Years at One Time, with the Owners of any Waterworks, or any other Person, for such Supply of Water as the Commissioners shall think necessary for the Purposes of this Act.

For ascertaining Price to be paid for Water in case of Dispute.

CCXCVI. That if the Commissioners, and the Owners of any Waterworks authorized by Act of Parliament to supply Water within the Burgh, with whom the Commissioners may be desirous of contracting, do not agree as to the Price to be paid for such Supply, then such Price (except where by the Act authorizing such Waterworks some other Mode of determining such Price shall be provided) shall be settled by Arbitration, and for that Purpose the Clauses of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Settlement of Disputes by Arbitration, shall be incorporated with this Act.

Commissioners to cause Fire-plugs, &c. to be pro-

CCXCVII. That the Commissioners shall cause Fireplugs, and all necessary Works, Machinery, and Assistance for securing an efficient Supply of Water in Cases of Fire, to be provided and maintained, and for this Purpose they may enter into

into any Agreement with any Water Company or other Party, and they shall paint or mark on the Buildings and Walls in the Streets Words or Marks near to such Fireplugs to denote the Situation thereof, and do such other Things for the Purposes aforesaid as they may from Time to Time deem expedient.

CCXCVIII. That the Commissioners may provide the Burgh with such a Supply of Water as may be proper and sufficient for the Purposes of this Act, and for private Use to the Extent required by this Act; and for those Purposes, or any of them, the Commissioners may from Time to Time contract with any Person whomsoever, or purchase, take upon Lease, hire, construct, lay down, and maintain such Waterworks, and do and execute all such Works, Matters, and Things as shall be necessary and proper, including the opening of Streets from Time to Time, for the Purpose of laying down, altering, or repairing Water Pipes therein; and any Waterworks Company may contract with the Commissioners to supply Water for the Purposes of this Act in any Manner whatsoever, or may sell and dispose of or Lease their Waterworks to the Commissioners; and the Commissioners may provide and keep in any Waterworks constructed or laid down by them under the Powers of this Act a Supply of pure and wholesome Water, and the Water so supplied may be constantly laid on at such Pressure as will carry the same to the top Story of the highest Dwelling House within the Burgh: Provided always, that before constructing or laying down any Waterworks under the Powers of this Act within any Limits within, for, or in respect of which any Waterworks Company shall have been established for supplying Water, the Commissioners shall give Notice in Writing to every Waterworks Company within whose Limits the Commissioners may be desirous of laying on or supplying Water, stating the Purposes for and (as far as may be practicable) the Extent to which Water is required by the Commissioners; and it shall not be lawful for the Commissioners to construct or lay down any Waterworks within such Limits if and so long as any such Company shall be able and willing to lay on Water proper and sufficient for all reasonable Purposes for which it is required by the Commissioners; and in case any Difference shall arise as to whether the Water which any such Company is able and willing to supply or lay on is proper and sufficient for the Purposes for which it is required by the Commissioners, or whether the Purposes for which it is required are reasonable, the same shall be settled by the Sheriff upon summary Application by either of the Parties.

vided and maintained.

Commissioners may provide sufficient Supplies of Water, and may erect Waterworks, &c.

In case of Waterworks constructed by Commissioners the Water may be kept constantly under Pressure. Commissioners not to construct Waterworks, &c. if any Waterworks Company within the Burgh be able and willing to supply Water upon Terms.

CCXCIX. And

Service
Pipes to
be laid by
Owners.

CCXCIX. And be it enacted, That where the Commissioners are able and willing to supply the Houses or Tenements within the Burgh with Water for domestic and ordinary Purposes, the Owners of such Houses and Tenements shall be entitled to obtain such Supply by connecting a Service Pipe with the Main Pipes to be laid down by the Commissioners, the Expense of such Service Pipes and of connecting the same with the Main Pipes being defrayed by such Owners; and where the Houses and Tenements generally in any Street or Place within the Burgh shall be supplied with Water by means of such Service Pipes, it shall be competent to the Commissioners to require the Owner of any Tenement in such Street or Place not so supplied to take a Supply of Water by connecting a Service Pipe with the Main Pipe as aforesaid; and in the event of Refusal or Delay on the Part of such Owner to comply with such Requisition, it shall be lawful for the Commissioners to enter upon such House or Premises and proceed to lay down such Service Pipe themselves, and to recover the Expense thereof from such Owner in the same Manner as Damages.

Water to
be used
only for
domestic
and ordi-
nary Pur-
poses un-
less by
Agreement
with the
Commis-
sioners.

CCC. And be it enacted, That no Person within the Burgh shall be entitled, without special Agreement with the Commissioners, to use the Water supplied through the Pipes of the Commissioners except for domestic and ordinary Purposes; but where there is a Supply of Water more than is required for such domestic and ordinary Purposes within the Burgh, it shall be lawful for the Commissioners to contract with any Person or Persons within the Burgh to supply any Public Baths and Washhouses, Works, Manufactories, or other Premises within the Burgh with Water, at such Rate and upon such Terms and Conditions as may be agreed on; or in the event of Disagreement, either as to the Ability of the Commissioners to give the Supply or as to the Rate, Terms, or Conditions on or in respect of which the Supply is to be given, the same shall be fixed by the Sheriff upon summary Application by either of the Parties, and the Decision of the Sheriff shall be final.

Penalty for
injuring
Water-
works, di-
verting
Streams,
or wasting
Water.

CCCI. That whosoever shall wilfully or carelessly break, injure, or open any Lock, Cock, Waste Pipe, or Waterworks belonging to or under the Management or Control of the Commissioners, or shall unlawfully flush, draw off, divert, or take Water from any Waterworks belonging to or under the Management or Control of the Commissioners, or from any Waters or Streams by which such Waterworks are supplied, or shall wilfully or negligently waste or cause to be wasted any Water with which he is supplied by the Commissioners, shall for every such Offence forfeit a Sum not exceeding Five Pounds,
and

and a further Penalty of Twenty Shillings for each Day whilst the Offence is continued after written Notice in that Behalf, which Penalties shall be paid to the Commissioners: Provided always, that nothing herein contained shall prevent the Owner or Occupier of any Premises through or by which any Streams may flow from using the same as they would have been entitled to do if this Act had not been passed.

CCCII. That whosoever shall bathe in any Stream, Reservoir, Conduit, Aqueduct, or other Waterworks belonging to or under the Management or Control of the Commissioners, or shall wash, cleanse, throw, or cause to enter therein any Animal, Rubbish, Filth, Stuff, or Thing of any Kind whatsoever, or shall cause or permit or suffer to run or be brought therein the Water of any Sink, Sewer, Drain, Engine, or Boiler, or other filthy, unwholesome, or improper Water, or shall do anything whatsoever whereby any Water belonging to the Commissioners or under their Management or Control shall be fouled, shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum of Twenty Shillings for each Day whilst the Offence is continued, paid to the Commissioners; and whosoever, being Proprietor of any Gasworks, or being engaged or employed in the Manufacture or Supply of Gas, causes or suffers to be brought or to flow into any Stream, Reservoir, Conduit, Aqueduct, or Waterworks belonging to or under the Management or Control of the Commissioners, or into any Drain or Pipe communicating therewith, any Washing or other Substance produced in the Manufacture or Supply of Gas, or shall wilfully do any Act connected with the Manufacture or Supply of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, or Waterworks is fouled, shall forfeit to the Commissioners for every such Offence the Sum of Two hundred Pounds, and, after the Expiration of Twenty-four Hours Notice in Writing from them in this Behalf, a further Sum of Twenty Pounds for every Day during which the Offence is continued, or during the Continuance of the Act whereby the Water is fouled; and every such Penalty shall be recoverable, with full Costs of Suit, by Action of Debt; and if any Water supplied by, belonging to, or under the Management or Control of the Commissioners be fouled in any Manner by the Gas of any such Proprietor or Person as last aforesaid, he shall forfeit to the Commissioners for every such Offence a Sum not exceeding Twenty Pounds, and a further Sum not exceeding Ten Pounds for every Day whilst the Offence is continued after the Expiration of Twenty-four Hours Notice in Writing from

Penalties
on Persons
for causing
Water in
Reservoirs
to be
fouled ;

and on
Proprie-
tors of
Gasworks,
&c.

from the Commissioners in this Behalf; and for the Purpose of ascertaining whether such Water is fouled by the Gas of any such Proprietor or Person the Commissioners may lay open and examine any Pipes, Conduits, and Works from which the Gas is supposed to escape; provided that before beginning so to do Twenty-four Hours Notice in Writing be given to the Person to whom such Pipes, Conduits, or Works belong or under whose Management or Control they may be, of the Time at which the Examination is intended to be made; and if upon such Examination it appear that the Water has been fouled by the Gas proceeding from or contained in the Pipes, Conduits, or Works examined, the Expenses of the Examination shall be paid and borne by the Person to whom such Pipes, Conduits, or Works belong, or under whose Management or Control they may be, and be recoverable from him in the same Manner as Damages may be recoverable under this Act, or as any Debt may be recovered by the Law of *Scotland*; but if it appear that the Water has not been so fouled, then such Expenses, and all Damages occasioned by the Examination, shall be paid by the Commissioners out of the General Assessments levied under this Act and be recoverable from them upon summary Application to the Sheriff, or otherwise as any Debt may be recovered by the Law of *Scotland*.

Commis-
sioners
may make
Bye Laws
in refer-
ence to
Water.

Clocks.

Power to
Commis-
sioners to
provide
public
Clocks.

CCCIII. And be it enacted, That it shall be lawful for the Commissioners to make Bye Laws regulating all or any Matters and Things whatsoever connected with the Water to be supplied within the Burgh through their Pipes.

CCCIV. And with respect to the Improvement of Burghs, and to Clocks, be it enacted, That the Commissioners may from Time to Time provide such Clocks as they consider necessary, and cause them to be fixed upon or against any public Building, or, with the Consent of the Owner and Occupier, upon or against any private Building, the Situation of which may be convenient for that Purpose, and may cause the Dials thereof to be lighted at Night, and from Time to Time alter and remove any such Clocks to such other like Situation as they shall consider expedient.

*Execution
of Works
by Commis-
sioners.*

Commis-
sioners em-
powered to
enter upon
Premises

And with respect to Entry by the Commissioners or their Officers in execution of this Act, be it enacted as follows:

CCCV. That the Commissioners shall for the Purposes of this Act have Power, by themselves or their Officers, to enter, at all reasonable Hours in the Daytime, into and upon any Premises within the Burgh, as well for the Purpose of Inspection as for the Purpose of executing any Work authorized to be executed by them under this Act, without being liable to any legal Proceedings on account thereof: Provided always,
that,

that, except when herein otherwise provided, the Commissioners or their Officers shall not make any such Entry, unless with the Consent of the Occupier, until after the Expiration of Twenty-four Hours Notice for that Purpose given to the Occupier.

CCCVI. That every Person who shall at any Time obstruct the Commissioners, or any Person employed by them, in the Performance of anything which they are respectively empowered or required to do by this Act, shall be liable to a Penalty not exceeding Five Pounds.

And with respect to ensuring the Execution of the Works by this Act required to be done by Owners or Occupiers, be it enacted as follows:

CCCVII. That where under this Act any Notice is required to be given to the Owner or Occupier of any Premises, such Notice, addressed to the Owner or Occupier thereof, as the Case may require, may be served on the Occupier of such Premises, or left with some Inmate of his Abode, or, if there be no Occupier, may be put up on some conspicuous Part of such Premises; and it shall not be necessary in any such Notice to name the Occupier or the Owner of such Premises: Provided always, that when the Owner of any such Premises, and his Residence, are known to the Commissioners, it shall be the Duty of the Commissioners, if such Owner be resident within the Burgh, to cause every Notice required to be given to the Owner to be served on such Owner, or left with some Inmate of his Abode; and if such Owner be not resident within the Burgh, they shall send every such Notice by the Post, addressed to the Residence of such Owner.

CCCVIII. That whenever, under the Provisions of this Act, any Work of any kind is required to be executed by the Owner or Occupier of any Premises, and Default is made in the Execution of such Work, the Commissioners may cause such Work to be executed, and the Expense incurred by the Commissioners in respect thereof shall, except in the Case in which such Expenses are herein directed to be defrayed by Drainage Rates, be repaid to them by the Person by whom such Work ought to have been executed.

CCCIX. That whenever Default is made by the Owner of any Premises in the Execution of any Work by this Act required to be executed by him, the Occupier of such Premises may, with the approval of the Commissioners, cause such Work to be executed, and the Expense thereof shall be repaid to such Occupier by the Owner of such Premises, and such Occupier may deduct the Amount of such Expense out

for the
Purposes
of this Act.

Penalty on
Persons
obstruct-
ing Com-
missioners
in their
Duty.

*Execution
of Works
by Owners.*

As to Ser-
vice of
Notice on
Owners
and Occu-
piers.

Commis-
sioners, in
default of
Owner or
Occupier,
may exe-
cute
Works and
recover
Expenses.

Occupier,
in default
of Owner,
may exe-
cute
Works,
and deduct
Expenses
from his
Rent.

out of the Rent from Time to Time becoming due from him to such Owner.

How Ex-
penses are
to be re-
covered
from
Owner.

CCCX. That if the Owner of any Premises made liable by this Act for the Repayment to the Commissioners of any Expenses incurred by them do not, as soon as the same become due and payable from him, repay all such Expenses to the Commissioners, the Commissioners may recover the same from such Owner in the same Manner as Damages may be recovered under this Act, or as any Debt may be recovered by the Law and Practice of *Scotland*.

Power
to levy
Charges on
Occupier,
who may
deduct the
same from
his Rent.

CCCXI. That the Commissioners may, by way of additional Remedy, require the Payment of all or any Part of the Expenses payable by the Owner for the Time being from the Person who then or at any Time thereafter occupies any such Premises under such Owner; and in default of Payment thereof by such Occupier, on Demand, the same may be levied by Seizure and Sale of the Goods and Effects of such Occupier, in the same Manner as any Assessment or Rate may be recovered from him under this Act; and every such Occupier shall be entitled to deduct from the Rent payable by him to his Landlord so much as is so paid by or recovered from him in respect of any such Expenses.

Occupier
not to be
liable for
more
than the
Amount of
Rent due.

CCCXII. Provided always, That no Occupier of any Premises shall be liable to pay more Money in respect of any Expenses charged by this Act on the Owner thereof than the Amount of Rent due from him for the Premises in respect of which such Expenses are payable at the Time of the Demand made upon him, or which at any Time after such Demand, and Notice not to pay the same to his Landlord, have accrued and become payable by him, unless he neglect or refuse, upon Application made to him for that purpose by the Commissioners, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded of any such Occupier is greater than the Rent which was due by him at the Time of such Demand, or which has since accrued, shall lie upon such Occupier: Provided further, that nothing herein contained shall be taken to affect any special Contract made between any such Owner or Occupier respecting the Payment of the Expenses of any such Works as aforesaid.

Commis-
sioners may
allow Time
for Repay-
ment by
Owners of
Improve-
ment Ex-
penses.

CCCXIII. That where any such Expenses payable to the Commissioners by any Owner of any such Premises amount to more than Half the Amount of the net annual Value of such Building or Lands, the Commissioners may, if they think fit, at the Request of any such Owner, allow Time for the Repayment of such Expenses, and receive the same by such Instal-
ments

ments as they, under the Circumstances of the Case, consider reasonable, but so that the same be repaid by annual Instalments of not less than One Seventh Part of the whole Sum originally due, with Interest for the Principal Money from Time to Time remaining unpaid after the yearly Rate of Five Pounds in the Hundred during the Period of Forbearance; but all such Sums remaining due, notwithstanding the Commissioners have agreed to allow any Time for the Repayment thereof as aforesaid, shall from Time to Time, at the Expiration of the several Times so allowed for Repayment thereof, be recoverable in like Manner as such respective Amounts would have been recoverable if no such Time had been allowed for Repayment thereof.

CCCXIV. That if the Occupier of any Premises within the Burgh prevent the Owner thereof from carrying into effect in respect of such Premises any of the Provisions of this Act, after Notice of his Intention so to do has been given by the Owner to such Occupier, the Sheriff may make an Order in Writing requiring such Occupier to permit the Owner to execute all such Works with respect to such Premises as may be necessary for carrying into effect the Provisions of this Act; and if after the Expiration of Ten Days from the Date of such Order such Occupier continue to refuse to permit such Owner to execute such Works, such Occupier shall for every Day during which he so continues to refuse be liable to a Penalty not exceeding Five Pounds; and every such Owner during the Continuance of such Refusal shall be discharged from any Penalties to which he might otherwise have become liable by reason of his Default in executing such Works.

Proceedings in case of Tenants opposing the Execution of this Act.

CCCXV. That nothing in this Act contained shall extend to avoid any Agreement in Writing entered into before the Adoption of this Act for erecting or altering any Building, but the same shall be performed with such Alterations as may be rendered necessary by this Act, and as if such Alterations had been stipulated for in such Agreement; and the Difference between the Cost of the Work according to the Agreement and the Cost of such Work as executed according to the Provisions of this Act shall be ascertained by the Parties to the respective Agreements, and paid for or deducted as the Case may require; and if the said Parties do not agree upon the Amount of such Difference, the same shall, on the Request of either Party (Notice being given to the other), be decided by the Surveyor to the Commissioners, and for his Trouble in making such Decision each of the said Parties shall pay to the said Surveyor such Sum not exceeding One Pound, and to be disposed of for such Purposes of this Act, as the Commissioners shall direct.

Respecting existing Contracts for building.

CCCXVI. That

Respecting
Contracts
or Leases.

CCCXVI. That nothing in this Act contained shall affect any Lease or Agreement for a Lease whereby any Person may be bound to erect Buildings upon any building Ground within the Burgh, but the Buildings mentioned in such Lease or Agreement shall be built, according to the Conditions which may be rendered necessary by this Act, in the same Manner as if this Act had been adopted and in operation at the Time of making such Lease or Agreement, and the same had been made subject thereto, and that without either Party being entitled to any Compensation.

*Special
Order.*

And with respect to Things to be done by the Commissioners by Special Order only, be it enacted as follows:

As to cer-
tain Mat-
ters autho-
rized to be
done by the
Commis-
sioners by
Special
Order only.

CCCXVII. That where by this Act the Commissioners are empowered to do any Thing by Special Order only, it shall not be lawful for them to do such Thing unless the Resolution to do the same have been agreed to by the Commissioners in some Meeting whereof special Notice has been given, and has been confirmed in a subsequent Meeting held not sooner than Four Weeks after the preceding Meeting, and which subsequent Meeting has been advertised once at least in each of the Weeks intervening between the Two Meetings in some Newspaper circulating within the Burgh, if any be, or otherwise in some Newspaper circulating in the County in which the Burgh is situated, and of which special Notice in Writing has been given to each of the Commissioners.

Final Re-
solution not
to be car-
ried into
effect for
One Month,
nor then if
a Majority
of the Rate-
payers re-
monstrate
against the
same.

CCCXVIII. Provided always, That after any Resolution has been confirmed in a subsequent Meeting as aforesaid the Commissioners shall not proceed to carry the same into effect until after the Expiration of One Month from the Date of such Second Meeting, and during such Month such Resolution shall be advertised once at least in each Week in such Newspaper as aforesaid, and public Notice thereof shall also be given by means of Placards posted in public Places within the Burgh, and Reference shall in such Advertisement and Notice be made to some Place provided by the Commissioners where the Plan or Particulars of the Work or Matter to which such Resolution relates may be gratuitously seen by the Rate-payers; and if before the Expiration of such Month a Remonstrance in Writing against carrying into effect such Resolution or any Part thereof, signed by a Majority of the Rate-payers having Votes in the Election of the Commissioners, be presented to the Commissioners, such Resolution, or such Part thereof as such Remonstrance applies to, shall not be carried into effect; and where any such Remonstrance applies to Part only of any such Resolution, the Commissioners may either carry into effect the Remainder of such Resolution, or rescind the same, as they think fit.

CCCXIX. That

CCCXIX. That the Commissioners may from Time to Time, by Special Order, as herein defined, but not otherwise, purchase, rent, build, or otherwise provide such Slaughter-houses as they think proper for slaughtering Cattle within the Burgh. Commissioners may provide Slaughter-houses ;

CCCXX. That the Commissioners may by Special Order, as herein defined, but not otherwise, purchase, rent, or otherwise provide Lands, Grounds, or other Places, either within the Burgh, or at a reasonable Distance therefrom, not exceeding Three Miles from the Centre of the principal Market Place, if any, or from the principal Office of the Commissioners, to be used as a Pleasure Ground or Place of public Resort or Recreation ; and the Commissioners may from Time to Time level, drain, plant, and otherwise lay out and improve any such public Lands or Grounds for the more convenient Use and Enjoyment thereof. Places for public Recreation ;

CCCXXI. That the Commissioners may from Time to Time by Special Order, as herein defined, but not otherwise, purchase, rent, or otherwise provide, either within the Burgh or at a reasonable Distance therefrom, suitable and convenient Premises, to be used for public Baths and Wash-houses, and public open Bathing Places, and public Drying Grounds for the Use and Accommodation of the Inhabitants within the Burgh in washing and drying Clothes and other Articles, and may fit up the same respectively with all requisite and proper Conveniences, and from Time to Time enlarge, renew, and repair the same respectively, and afford the Use thereof respectively to such Inhabitants, at such reasonable Charges, and under and subject to such Regulations, as the Commissioners may deem expedient ; and every Person who offends against any such Regulations, shall be liable to a Penalty not exceeding Forty Shillings for every Offence. and Public Bathing Places and Drying Grounds.

CCCXXII. Provided always, That the Number of Baths for the Use of the Working Classes in any Building provided by the Commissioners shall not be less than twice the Number of the other Baths of any higher Class. Proportion of Baths for the Working Classes.

CCCXXIII. That the Commissioners may from Time to Time make such reasonable Charges for the Use of such Baths, Bathing Places, Wash-houses, and Drying Grounds as they think fit. Charges for the Use of Baths.

CCCXXIV. That for the Recovery of the Charges at such Wash-houses and Drying Grounds the Officers, Servants, and others having the Management thereof may, at the Period of using the same, or at any subsequent Time, detain the Clothes or other Goods and Effects in or upon any such Wash-house or Drying Ground of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Recovery of Charges for the Use of Baths, &c.

full Payment thereof be made; and in case such Payment be not made within Seven Days, the Commissioners may sell such Clothes, Goods, and Effects, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge and the Expenses of such Detention and Sale, and the unsold Articles, if any, on Demand, to such Person.

Publication of Bye Laws in regard to Baths, &c. CCCXXV. That a printed Copy or sufficient Abstract of the Bye Laws made by the Commissioners relating to the Use of such Baths, Bathing Places, and Wash-houses, so far as regards every such Bath, Bathing Place, or Wash-house, shall be put up in such Bath Room, Bathing Place, and Wash-house.

Sale of Baths, &c. on discontinuing them. CCCXXVI. That whenever any of such public Baths, Bathing Places, Wash-houses or Drying Grounds are deemed by the Commissioners to be unnecessary or too expensive to be kept up, the Commissioners may, by Special Order, as herein defined, but not otherwise, discontinue the same, and sell the Lands, Buildings, and Materials for the best Price that can reasonably be obtained, and convey the same accordingly; and the Purchase Money shall be paid to the Treasurer of the Commissioners, and be disposed of as the Commissioners direct.

Application may be made to Parliament if additional Powers necessary. CCCXXVII. That if it appear that any Works which the Commissioners deem necessary for promoting the Health or Convenience of the Inhabitants of the Burgh cannot lawfully be carried into effect by the Commissioners under the Powers vested in them by this Act, by reason either that the Monies authorized to be raised by them are insufficient for the Purpose, or that any Lands are required which the Commissioners are not by this Act authorized to take or use, or for any other Reason, the Commissioners may, by Special Order, as herein defined, but not otherwise, cause Application to be made to Parliament for an Act to enable them to execute such Works, and may defray the Expenses of such Application out of the Assessments authorized to be levied by them under this Act.

Bye Laws. And with respect to the Bye Laws to be made by virtue of this Act, be it enacted as follows:

Bye Laws. CCCXXVIII. That the Commissioners may from Time to Time make such Bye Laws as they think fit for the several Purposes for which they are by this Act empowered to make Bye Laws, and from Time to Time repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Law of *Scotland* or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Signatures of Two of the Commissioners, and, if affecting other Persons than the Officers or Servants of the Company, be confirmed and published as herein provided.

CCCXXIX. That

CCCXXIX. That the Commissioners, by the Bye Laws so to be made by them, may impose such reasonable Penalties as they think fit, not exceeding Forty Shillings for each Breach of such Bye Laws: Provided always, that such Bye Laws be so framed as to allow the Sheriff or Magistrate before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty.

Bye Laws may be enforced by Imposition of Penalties.

CCCXXX. That no Bye Law made by the Commissioners under the Authority of this Act, except such as relate solely to the Commissioners or their Officers or Servants, shall come into operation until the same be confirmed by the Sheriff; and it shall be incumbent on the Sheriff, on the Request of the Commissioners, to inquire into any Bye Laws tendered to him for that Purpose, and to allow or disallow of the same as he may think meet.

Bye Laws to be confirmed.

CCCXXXI. That no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers circulating within the Burgh, if any be, or otherwise in some Newspaper circulating in the County in which the Burgh is situated, One Month at least before the hearing of such Application; and any Person desiring to object to any such Bye Law, on giving to the Commissioners Notice of the Nature of his Objection Ten days before the hearing of the Application for the Allowance thereof, may, by himself or his Counsel or Agent, be heard thereon, but not so as to allow more than One objecting Party to be heard on the same Matter of Objection.

Notice of Confirmation to be given.

CCCXXXII. That for one Month at least previous to any such Application for Confirmation of any Bye Law a Copy of the proposed Bye Laws shall be kept at the principal Office of the Commissioners; and all Persons may at all reasonable Times inspect such Copy without Fee or Reward; and the Commissioners shall furnish every Person who applies for the same with a Copy thereof or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied.

A Copy of proposed Bye Laws to be open to Inspection.

CCCXXXIII. That such Bye Laws, when confirmed, shall be printed; and the Clerk to the Commissioners shall deliver a printed Copy thereof to every Person applying for the same, without Charge, or at a Charge not exceeding One Halfpenny; and a Copy thereof shall be painted or placed on Boards, which shall be hung up on the Front or in some conspicuous Part of the principal Office of the Commissioners, and also on some conspicuous Part of the Works or Locality to which the same relate; and such Boards, with the Bye Laws thereon, shall be from Time to Time renewed as Occasion requires, and shall be open to Inspection without Fee or Reward; and any

Publication of Bye Laws.

any such Clerk who does not allow the same to be inspected at all reasonable Times shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Bye Laws
to be bind-
ing on all
Parties.

CCCXXXIV. That such Bye Laws, when so confirmed and published, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence
of Bye
Laws.

CCCXXXV. That the Production of a written or printed Copy of the Bye Laws requiring Confirmation by the Sheriff, authenticated by the Signature of the Sheriff who approved of the same, and a written or printed Copy of the Bye Laws not requiring such Confirmation, authenticated by the Signatures of Two Commissioners, shall be Evidence of the Existence and of the due making of such Bye Laws in all Prosecutions under the same, without adducing Proof of the Signature or Signatures of the Sheriff or Commissioners; and with respect to the Proof of the Publication thereof it shall be sufficient to prove that a Board containing a Copy thereof was affixed and continued in the Manner by this Act directed, and in case of its being afterwards displaced or damaged, that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of the Bye Law under which he is prosecuted, or that it was not duly affixed or continued as required by this Act.

Penalty
on pulling
down
Boards.

CCCXXXVI. That any Person who destroys, pulls down, injures, or defaces any Board on the Premises of the Commissioners on which any Bye Law of the Commissioners is painted or placed shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Recovery
of Dama-
ges and
Penalties.

And with respect to the Recovery of Damages not specially provided for, and of Penalties, be it enacted as follows:

Recovery
of Dama-
ges and
Penalties.

CCCXXXVII. That all such Damages and Penalties may be recovered by summary Proceedings upon Complaint in Writing made by the Superintendent of Police or by the Procurator Fiscal to a Magistrate of the Burgh or to the Sheriff of the County within which such Damages or Penalty shall arise or be incurred, or to the Sheriff of any County in which the Offender may be found, and on such Complaint being made such Magistrate or Sheriff shall issue a Warrant for bringing the Party complained against immediately before him, or shall issue an Order requiring such Party to appear at a Time and Place to be named in such Order; and every such Order shall be served on the Party complained against either in Person or by leaving with some Inmate at his usual Place of Abode a Copy of such Order, and of the Complaint whereon the

the same has proceeded, and either upon the Appearance or on the Default to appear of the Party complained against it shall be lawful for such Magistrate or Sheriff to proceed to the hearing of the Complaint, and upon Proof either by the Confession or Admission of the Party complained against, or upon the Oath of One credible Witness or more, and without any written Pleadings or Record of Evidence, to convict or give Judgment against the Party complained against, and thereupon to decree, adjudge, and sentence him to pay the Damages or Penalty which have arisen or been incurred, and the Expenses attending the Proceedings, and to grant a Warrant for imprisoning him until such Damages or Penalty and Expenses shall be paid: Provided always, that such Warrant shall specify the Amount of such Damages, or Penalty and Expenses, and shall also specify a Period at the Expiration of which the Party shall be discharged, notwithstanding such Damages or Penalty and Expenses shall not have been paid, and which Period shall in no Case exceed Two Months; and such Damages and Penalties shall be paid to the Commissioners, or to their Treasurer or Collector, and be applied for the general Purposes of this Act within the Burgh; and the Decision of such Magistrate or Sheriff in all such Cases shall be final and conclusive, and shall not be subject to Review, or to be set aside on the Merits, or on any Ground of Want of Form or other Ground, or by Suspension, Reduction, Advocation, or Appeal to any Court whatever.

CCCXXXVIII. That the Prosecution for every Offence punishable upon summary Conviction by virtue of this Act, shall be commenced within Six Months after the Commission of the Offence or after the Cause of Action shall have occurred.

Limitation of summary Prosecutions.

CCCXXXIX. That every Person who, upon any Examination upon Oath under the Provisions of this or the special Act, shall wilfully give false Evidence, shall be liable to Punishment for Perjury.

Penalty on Persons giving false Evidence.

And with respect to the borrowing of Money for the Purposes of this Act, be it enacted as follows:

Borrowing of Money.

CCCXL. That it shall be lawful for the Commissioners to borrow and take up for the Purpose of procuring a Police Office, erecting a Slaughter-house or Weigh-house, or for erecting Lamps, or for making and constructing Common Sewers, or for procuring or supplying Water or Gas, or for procuring Fire Engines, or for any of the other Purposes authorized by this Act, such Sum or Sums and at such Time or Times as the Commissioners shall deem necessary for such Purposes: Provided always, that in all Cases where it shall be necessary to borrow any Sum or Sums for the Purposes of this Act, it shall

Power to Commissioners to borrow Money for the Purposes of this Act.

shall be lawful for the Commissioners, and they are hereby authorized and required, at their first annual Meeting for Assessment after such borrowing, to assess all Occupiers of Premises within the Burgh liable in Assessment under this Act, in such additional Assessment beyond the Sum necessary for the Purposes of this Act as will produce a Fund equal to Five *per Centum per Annum* upon the Sum or Sums so borrowed, and also to the annual Interest of such borrowed Sum or Sums, which Sum of Five *per Centum per Annum* the Commissioners shall annually appropriate, set apart, and invest, at the highest Rate of Interest which can be had for the same, in the Public Funds, or in any chartered or other Bank, or on heritable Security, as a Sinking Fund, applicable and to be applied by the Commissioners from Time to Time to the Repayment of the Money borrowed, until the Debt shall be extinguished: Provided always, that such additional Assessment shall at no Time increase the whole Assessment leviable beyond the maximum Rate of Assessment of Two Shillings and Sixpence *per Pound Sterling*, or One Shilling and Sixpence *per Pound Sterling*, as the Case may be, allowed by this Act; and provided also, that no Sum of Money shall be borrowed until an Estimate of the Amount required shall have been laid before the Commissioners, or until the Expiration of Six Weeks after public Notice shall have been given by the Commissioners of the Amount so proposed to be borrowed, and the Purpose to which the borrowed Money is to be applied, in some Newspaper in ordinary Circulation within such Burgh; and provided further, that the Proposal to borrow shall be disposed of at the next Meeting of the Commissioners Six Weeks after such public Notice, and that the Sum borrowed shall not exceed the Amount so advertised without a further Estimate and Notice in manner above provided.

Commis-
sioners not
to be
personally
liable.

CCCXLI. That no Commissioner or Officer acting under the Commissioners shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided.

As to
Bonds to
be granted.

CCCXLII. That all Bonds for Monies to be borrowed as aforesaid shall be signed by the Treasurer or Collector of the Commissioners, in Presence of Two of the said Commissioners, who shall Sign as Witnesses thereto, and shall be in the Form and Tenor following; *videlicet*,

‘ Number [*here state the Number.*]

‘ By virtue of an Act made in the Year of
‘ the Reign of Her Majesty Queen Victoria, intituled “ An
‘ Act [*specify this Act*],” I A.B. [*state whether Treasurer or*
‘ Collector,

‘ *Collector, or both,*] of the Commissioners of Police for the Burgh of [*insert the Name of the Burgh*], and by Authority of the said Commissioners, in consideration of the Sum of [*insert the Sum in Words*] instantly advanced and paid to me on account of the said Commissioners and for the Purposes of the said Act, by *C.D.* of *E.*, do hereby bind and oblige the said Commissioners for the Time being, out of the first and readiest of the Monies to be raised under the annual Assessments by the said Act authorized to be imposed and levied, to pay at the Term of [*insert Term of Payment*] to the said *C.D.*, his Executors or Assignees, the said Sum of [*state the Sum*], and also the Interest thereof at the Rate of [*insert the Rate of Interest*] per Centum per Annum from the Date hereof, at the Terms of Whitsunday and Martinmas in each Year, till the said Sum is paid ; and for the further Security of the said *C.D.* I do hereby assign to him, his Executors or Assignees, such Proportion of the said Monies to be raised under the said annual Assessment as shall be equivalent to the said Sum now paid to me, and the Interest thereon as aforesaid from the Date hereof to the Term of Payment ; and I consent to the Registration hereof in the Books of Council and Session, or others competent, for Preservation, and that all competent Diligence may pass and be directed hereon, in Form as effairs, and thereto constitute my Procurators. In witness whereof [*insert Testing Clause in common Form*].

‘ *A.B.*’

‘ *K.L.*, Commissioner.

‘ *M.N.*, Commissioner.’

And till Repayment such Bonds respectively shall form a Lien on the Rates and Assessments under this Act assigned by such Bond, and shall entitle the Creditor under the same to recover the Contents thereof from the Commissioners and their Officers out of the first and readiest of such Rates and Assessments.

CCCXLIII. That such Bonds may be assigned by Indor-
 sation on the Back thereof in the Form and Tenor following ;
videlicet, Bonds may be transferred by Indorsement.

‘ I *C.D.*, within designed, do transfer this Bond, with all Right, Title, or Interest, which I have under the same, to *E.F.*, his [*or her, or their, as the Case may be,*] Executors and Assignees. In witness whereof [*insert Testing Clause in common Form*].

‘ *K.L.*, Witness.

C.D.’

‘ *M.N.*, Witness.’

CCCXLIV. That before such Bond shall be delivered to the Creditor, or shall form a valid Lien on the Rates and Assess-
 ments Bonds to be recorded, and Assign-

nations to
be regis-
tered.

ments as aforesaid, the same shall be recorded in the Sederunt Book of the Commissioners, and a Certificate of such Registration shall be indorsed on such Bond, and signed by the Clerk of the Commissioners; and such Assignations shall be notified to the Treasurer of the Commissioners, who shall enter in the said Sederunt Book the Date of the said Assignation, the Names of the Parties thereto, the Number or Mark of such Bond, and the Interest due on the same; and a Certificate of such Entry shall be indorsed on the said Bond, and signed by the Treasurer, and the said Bond, being so certified, the Assignee, his Executors and Assignees, shall thereafter be entitled to the full Benefit of such Bond in Terms of such Assignation.

*Jurisdic-
tion of
Police
Courts.*

And with respect to the Jurisdiction of Magistrates of Police under this Act, and the Forms of Procedure before such Magistrates, be it enacted as follows:

*Jurisdic-
tion of
Magis-
trates of
Police
under this
Act.*

CCCXLV. That the Magistrates of Police of a Burgh under this Act, or any One or more of such Magistrates, shall have Jurisdiction in all Matters arising in such Burgh under this Act, and shall have all such and the like Jurisdiction within such Burgh as any Magistrate of a Royal Burgh, or any Dean of Guild of a Royal Burgh, has by the Law of Scotland within the Royal Burgh in and for which he acts as such Magistrate or Dean of Guild.

*Magis-
trates of
Police may
appoint
Procurator
Fiscal.*

CCCXLVI. That it shall be lawful for the Magistrates of Police under this Act to appoint, from Time to Time, by Writing, and during Pleasure, a fit Person to be Procurator Fiscal of the Burgh in which they act as such Magistrates, and such Procurator Fiscal shall within such Burgh have all such and the like Powers and Privileges as by Law appertain to any Procurator Fiscal of a Royal Burgh in reference to such Royal Burgh.

*Interim
Fiscal.*

CCCXLVII. That in the temporary Absence of the Procurator Fiscal so to be appointed, occasioned by Indisposition or other necessary Cause, it shall be lawful for the Magistrates of Police to appoint a fit Person to perform *ad interim* the Duties of such Procurator Fiscal, in the Name of such Procurator Fiscal.

*Forms of
Procedure
in Police
Court.*

CCCXLVIII. That all Actions, Prosecutions, and Proceedings before the Magistrates of Police or any of them shall commence by a Complaint, written or printed or partly written and partly printed, at the Instance of the Procurator Fiscal or Superintendent of Police, to be appointed as herein authorized, or at the Instance of any Person duly authorized to act for them respectively, in which latter Case such Proceedings, though subscribed by such Person, shall be commenced and conducted throughout in Name of the Procurator Fiscal or Superintendent

Superintendent of Police respectively; and (with the Exception of Complaints against Chain-droppers, Thimblers, loaded Dice Players, and Offenders of that description), such Complaint, in all Cases of Theft, or of Reset of Theft, or of Falsehood, Fraud, and wilful Imposition, or of Breach of Trust and Embezzlement, shall bear that the Sum of Money or the Value of the Article stolen, resetted, obtained by Falsehood, Fraud, and wilful Imposition, or embezzled, does not exceed Ten Pounds; and it shall not be competent thereafter to the Person accused (except where an Offer shall be made at the Time) to prove that the Money or Article stolen, resetted, obtained, or embezzled exceeded in Value the Sum of Ten Pounds; and the whole other Procedure before such Magistrates or any of them shall be conducted summarily, *viva voce*, and without written Pleadings; and no other Record shall be kept of the Proceedings, except the Complaint, and the Judgment pronounced thereon; and it shall not be competent to any Party who shall appear to answer to any Complaint to plead want of due Citation or Informality in the Warrant or Execution.

CCCXLIX. That the Magistrates of Police and the Sheriff, with the Advice and Approbation of the Lord Justice General and the Lord Justice Clerk for the Time being, shall and they are hereby authorized and required, when necessary, to frame Rules and Regulations and Forms of Procedure calculated to despatch the Business in the easiest and most expeditious Manner, and from Time to Time to alter and amend the same, in order that the provisions of this Act may be carried into full Execution.

Forms of
Procedure
to be
framed.

CCCL. That if it shall appear, either in the preliminary Investigation of the Charges against any Person accused of having committed any Crime, Delinquency, or Offence within the Burgh, or during his Trial before the Magistrate, that such Person has been guilty of or is charged with any of the Crimes denominated the Pleas of the Crown (*videlicet*), Murder, Robbery, Rape, and wilful Fire-raising, or with the Crimes of Stouthrief, or of Theft by Housebreaking, or of Housebreaking with Intent to Steal, or of simple Theft to an Amount exceeding Ten Pounds, or of Theft by opening lockfast Places, or of Theft aggravated by being Habit and Repute a common Thief, or by having been Twice previously convicted of Theft, or of Reset of Theft, to an Amount exceeding Ten Pounds, or of Reset of Theft aggravated by having been Twice previously convicted of that Crime, or of Falsehood, Fraud, and wilful Imposition to an Amount exceeding Ten Pounds, or of Falsehood, Fraud, and wilful Imposition aggravated by having been Twice previously convicted of that Crime, or of Breach of Trust

Certain
Crimes not
competent
to be taken
cognizance
of in the
Police
Court.

Trust and Embezzlement to an Amount exceeding Ten Pounds, or of Breach of Trust and Embezzlement aggravated by having been Twice previously convicted of that Crime, or of Assault to the Danger of Life, or of Assault whereby any Limb has been fractured, or of Assault with any Knife or other lethal Instrument where Effusion of Blood has followed, or of Assault aggravated by Two previous Convictions for that Crime, or of Assault with Intent to ravish, or of attempt at wilful Fire-raising, or of Culpable Homicide, or of Forgery, or of uttering Forged Bank or Banker's Notes, it shall not be competent for the Procurator Fiscal, or those acting under or for him, to insist in a Prosecution against such Person before the Magistrate, but the Magistrate shall commit the Person accused to Prison for Examination, and the Procurator Fiscal or Superintendent of Police shall forthwith give Notice of such Commitment to the Procurator Fiscal of the County in which the Offence shall be charged to have been committed, in order that such Person may be proceeded against conformably to Law: Provided always, that the aforesaid Provision shall not apply to Chain-droppers, Thimblers, loaded Dice Players, and Offenders of that description, whom the Magistrate is hereby specially empowered to try and sentence, whatever may be the Amount of the Sum specified in the Charge against them, or however often they may have been previously convicted.

Limitation
of Police
Prosecu-
tions.

CCCLI. That no Complaint at the Instance of any private Party, or of the Procurator Fiscal or Superintendent of Police, for any Offence under this Act, shall be received or entertained unless the same be presented within Six Months after the Commission of the Offence.

Superin-
tendent in
certain
Cases may
accept of
Bail or
Deposit.

CCCLII. That upon the Apprehension of any Person charged with any Offence under this Act, or with any Crime which may be competently tried before the Magistrate, it shall be lawful, in the Absence of the Magistrate, for the Superintendent of Police to accept of Bail or Deposit that such Person shall appear for Trial before the Magistrate at some Time and Place to be specified, and at all after Diets of Court, and to liberate the Person so apprehended upon Bail being found to an Amount not exceeding Twenty Pounds, or upon the Deposit of any Money or Article of Value to the Amount of the Bail fixed; and the Superintendent of Police, if Deposit be accepted, shall enter the same in a Book to be kept for the Purpose, and grant an Acknowledgment for the Money or Article so deposited: Provided always, that the Superintendent of Police may refuse, if he see Cause, to accept of Bail in any Shape; and the refusal to accept Bail or Deposit, and detaining the Person so apprehended until the Case of such Person is tried in the usual Form, shall not subject the Superintendent

Superintendent of Police to any Claim for Damages, wrongous Imprisonment, or Claim of any other kind whatsoever.

CCCLIII. That every Person taken into Custody, and who shall be detained in Custody, shall be taken before the Magistrate not later than in the course of the first lawful Day after he shall be taken into Custody; and if the Nature of the Crime or Offence charged shall admit of its being competently tried before the Magistrate under the Provisions of this Act, it shall be lawful for him to grant Warrant to commit such Offender to Prison, when remanded for affording Time to find Bail or for further Examination, such further Examination always taking place as soon as Circumstances shall permit, and without any unnecessary Delay; or if the Crime or Offence charged shall in the Opinion of the Magistrate merit a higher or greater Punishment than he can lawfully award, it shall be lawful for him to commit such Offender to Prison for Examination; or if the Crime or Offence charged, from having been committed beyond the Limits of the Burgh, falls to be tried in another Jurisdiction, it shall be lawful for the Magistrate to commit such Offender to Prison until disposed of according to Law; in either of which last Two Cases it shall be the Duty of the Superintendent of Police to give Notice of such Commitment to the Procurator Fiscal or other proper Officer for the City, County, Burgh, or other Jurisdiction within which the Crime or Offence was committed, in order that such Offender may be further proceeded with according to Law.

Persons in Custody to be taken before the Magistrate.

CCCLIV. That this Act shall be a sufficient Authority to the Constables for citing a Party charged with any Offence against the Provisions of this Act, or of any Bye Law made in virtue thereof, or at Common Law, and for summoning any Witness to give Evidence in relation to the same; and it shall be deemed a legal Citation of such accused Party or Witness if the Citation be delivered personally, or left at his Dwelling House, or at the Hotel, Inn, Lodging House, or other Place in which he eats and sleeps (if no other Domicile can be found), or in the Shop, Warehouse, Counting-house, or other Place of Business occupied by him, or, in the Case of a Master of or Seaman or Party employed in any Ship or Vessel, in the Hands of a Person on board thereof and connected therewith.

Authority to Officers to cite Parties and Witnesses.

CCCLV. That Warrants granted by the Magistrate for apprehending or citing Persons charged under this Act with having committed Crimes and Offences, or for citing Witnesses for the Prosecutor or accused Parties, when such Persons or Witnesses are beyond the Jurisdiction of the Magistrates of Police, shall be sufficient for apprehending or citing the Offenders and Witnesses within *Scotland*, and for conveying such Offenders

Offenders removing from the Bounds of Police, how to be proceeded against.

Offenders as shall be taken into Custody in Terms of the Warrant to be dealt with according to Law, without the Necessity of such Warrants being backed or indorsed by any Magistrate other than the Sheriff of the County within which the same shall be so granted: Provided always, that the said Warrants shall be executed against the Persons therein mentioned, and the Witnesses shall be cited by a Constable acting under the Authority of this Act.

In certain
Cases Of-
fenders
may appear
by Agent
or other
Party.

CCCLVI. That when any accused Person summoned to answer to any Complaint charging an Offence inferring merely the Payment of a pecuniary Penalty, and the finding of Caution as aforesaid, shall, from Indisposition or other good Cause, fail to attend at the Time and Place to which he shall have been cited, and for whom there shall appear a Procurator, Agent, or other Party duly authorized by such Person to act for him, it shall be lawful for the Magistrate, on such Procurator, Agent, or other Party admitting the Charge, or Part thereof, to pronounce Judgment, and fine such accused Person, and to ordain him to find Caution as aforesaid: Provided always, that in every such case the Sentence shall bear that the Offence complained of, or such Part thereof as was admitted, was proved by the Confession of the Person charged in the Complaint.

Examina-
tion of
Witnesses.

CCCLVII. That where from the Absence of Witnesses for the Prosecutor in any Complaint, or from any other Cause, it becomes necessary to adjourn the Diet, and where Witnesses for the Accused in such Prosecution are in attendance, it shall be lawful for the Magistrate, at the Request of the accused Person, and if the Magistrate in the Circumstances shall deem it proper, to take the Evidence of the Witnesses for the Accused before the Proof for the Prosecution has been led or concluded; but the Accused shall in all such Cases be entitled to lead additional Evidence after the Prosecutor's Case has been concluded.

Penalty in
case of
Witnesses
failing to
appear.

CCCLVIII. That if any Person who shall be summoned as a Witness to give Evidence before the Magistrate, either on the Part of the Prosecutor or the Person accused, shall fail to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such Failure, the Magistrate may cause such Person to be apprehended and committed to Prison until he finds Security to appear and give Evidence; and if such Person shall not be apprehended until after the Case on which he had been summoned to give Evidence has been disposed of by the Magistrate, and it shall be made to appear that his Non-compliance arose from a Desire on his Part to defeat the Ends of Justice, such Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to be imprisoned for any Period not exceeding

exceeding Thirty Days : Provided always, that Proof on Oath shall be made that he had been duly summoned at least Twenty-four Hours before the Meeting of the Diet of Court.

CCCLIX. That if any Person summoned as a Witness to give Evidence before the Magistrate, and appearing, shall refuse to be sworn or examined upon Oath, or in case of a Quaker or other Person privileged by Law to be examined upon solemn Affirmation, or after having been sworn or having undertaken to affirm, shall refuse to give Evidence touching or concerning the Subject Matter of Complaint, the Magistrate shall cause such Person to be committed to Prison for any Period not exceeding Thirty Days.

Penalty in case of Witness refusing to give Evidence.

CCCLX. That if any Person, when under Examination on Oath or solemn Affirmation before the Magistrate, shall prevaricate, or wilfully conceal the Truth, it shall be lawful to the Magistrate, in open Court, and in a summary Manner, to adjudge the Person so offending to Imprisonment for any Term not exceeding Thirty Days ; and the Sentence awarding such Imprisonment shall set forth the Nature of such Offence ; and if any Person, when under Examination on Oath or solemn Affirmation as aforesaid, shall wilfully or corruptly give false Evidence touching any Matter or Thing relating to the Case, or shall wilfully or corruptly swear or affirm any Matter or Thing which shall be false or untrue, although the Evidence be not recorded, every Person so offending, on being duly convicted thereof, shall be subject and liable to such Pains and Penalties as by Law Persons guilty of wilful and corrupt Perjury are liable to ; and it shall be lawful to the Magistrate to transmit such Person for Trial to a higher Criminal Tribunal, and for that Purpose to grant Warrant for his Imprisonment until disposed of according to Law.

Witnesses prevaricating may be punished summarily.

CCCLXI. That in case any pecuniary Penalty authorized by this Act shall not be immediately paid or consigned in Manner after mentioned, it shall be lawful to sentence the Person found liable in the same to be imprisoned till such Penalty be paid ; but in no Case shall the Period of Imprisonment exceed Thirty Days.

In default of paying Fines Parties to be imprisoned.

CCCLXII. That it shall be lawful for the Magistrate, in lieu of any Punishment by Imprisonment or Fine, to ordain any Offender to find Caution for good Behaviour, or for keeping the Peace, for any Period not exceeding Twelve Months, and under a Penalty not exceeding Twenty Pounds ; and in the event of such Person being detained for Want of such Caution, it shall be lawful to sentence the Person ordained to find such Caution to be imprisoned till Caution be

Power to order Offenders to find Caution in lieu of Imprisonment or Fine ;

be found; but in no Case shall the Period of Imprisonment exceed Thirty Days.

or to find
Caution in
addition to
Imprison-
ment or
Fine.

CCCLXIII. That in every Case where an accused Party has been sentenced to Imprisonment, or to pay a Fine or pecuniary Penalty, in either of which Sentences the Period of Imprisonment specified does not extend to the Term of Thirty Days, it shall be lawful for the Magistrate in addition to such Sentence to ordain the Offender to find Caution as aforesaid from and after the Expiry of the Term of Imprisonment, or from and after the Payment of the Fine or pecuniary Penalty specified in the said Sentence, or from and after the Expiry of the Term of Imprisonment for Nonpayment thereof; and in case such Caution should not then be found it shall be lawful to sentence the Person ordained to find such Caution to be further detained in the said Prison beyond the Expiry of the said Term of Imprisonment until such Caution be found; but in no Case shall the whole Period of Imprisonment, including the Period of Detention for not finding such Caution, exceed Thirty Days.

Warrant
of Com-
mitment.

CCCLXIV. That in all Cases where imprisonment takes places under the Powers of this Act a short Extract of the Charge and Sentence certified by the Clerk or his Depute, shall be a sufficient Warrant of Commitment.

Juvenile
Male Of-
fenders
may be
chastised
by Whip-
ping.

CCCLXV. That it shall be lawful for the Magistrate, in the Case of juvenile Male Offenders whose Age in the Opinion of the Magistrate shall not exceed Fourteen Years, instead of committing such Offenders to Prison, to adjudge them to be chastised by private Whipping, in such Manner, and according to such Regulations as shall be made by the Magistrates and Sheriff.

Articles
stolen, &c.
may be
restored.

CCCLXVI. That it shall be lawful for the Magistrate to order all Goods and Effects, of whatever Kind or Description, which may have been stolen, fraudulently obtained, or disposed of in breach of Trust, within the Burgh, and taken possession of by Officers acting in virtue of the Powers hereby conferred, and which it may be no longer necessary to detain for the Purpose of Evidence, to be restored to the proper Owners, upon *viva voce* Evidence being adduced to the Satisfaction of the Magistrate that such Goods were so stolen, fraudulently obtained, or disposed of in breach of Trust, whether the Offenders have been secured and punished or not, and that without any other Form or Process of Law whatsoever.

Offenders
may be
punished
summarily
for Con-
tempt of
Court

CCCLXVII. That in Cases of Contempt of Court, or of resisting, assaulting, or obstructing the Officers of the Law when in attendance on the Police Court, it shall be competent for the Magistrate, either of his own Motion summarily, and without

without the Necessity of a Complaint or other Procedure, to punish the Offender by a written Sentence, specifying the Offence, and inflicting a Fine not exceeding Three Pounds, or Imprisonment for any Period not exceeding Twenty Days, or to direct the Offender to be prosecuted after the ordinary Form at the Instance of the Superintendent of Police, in which Case the same Forms shall be observed and the same Punishment may be inflicted as in the Case of other Offences before the Magistrate: Provided always, that when the Magistrate proceeds to punish summarily he shall cause a Record to be kept containing a Statement of the Facts which may have led to such Punishment.

CCCLXVIII. That it shall be lawful for the Magistrate, without the Necessity of any Complaint, to direct the Superintendent of Police to dismiss any Constable under him whose Conduct in any Proceedings that shall form the Subject of Investigation before the Magistrate shall, in the Opinion of the Magistrate, render such Constable unfit to be any longer retained in the Police Establishment, and such Constable shall be dismissed accordingly.

Police Officers may be dismissed by the Magistrate.

CCCLXIX. That no Order, Judgment, Record of Conviction, or other Proceeding whatsoever, concerning any Prosecution instituted before the Magistrate by virtue of this Act, shall be quashed or vacated for any Misnomer or Informality; and all Judgments and Sentences pronounced by the Magistrate shall be final and conclusive, and not subject to Suspension or Advocation or Appeal, or any other Form of Review or Stay of Execution, unless on the Ground of Corruption, Malice, or Oppression on the Part of the Magistrate, or of such Deviations in point of Form from the statutory Enactments as the Court of Review shall think took place wilfully, or of Incompetency, including Defect of Jurisdiction of the Magistrate; and which Suspension or Advocation or Appeal, or Review or Stay of Execution, must be presented to the High Court of Justiciary within Fourteen Days after the Date of the Sentence complained of.

Proceedings not to be void for Want of Form, and Judgments to be final.

CCCLXX. That no Suspension or Stay of Execution of any Sentence pronounced by the Magistrate, in so far as concerns any Penalty, shall be competent to the Effect of preventing immediate Payment to the Clerk, or Consignation of the Amount of the said Penalty; and the Person against whom such Sentence shall be pronounced, if in Custody at the Time, shall be so kept, and if not in Custody at the Time shall immediately be taken into Custody, and so kept till the said Penalty be paid, and if the same be not immediately paid or consigned such Person shall be committed to Prison till liberated in manner herein mentioned; reserving nevertheless to any Person having paid or consigned such Penalty, if he shall consider himself

No Stay of Execution to prevent Payment of Penalties.

himself aggrieved, to seek Redress as is herein-before provided ; and in all Cases of Prosecution before the Magistrate under this Act it shall be lawful for the Magistrate whose Sentence shall be brought under Review in another Court to authorize the Expenses incurred in the Proceedings in such other Court to be defrayed out of the Assessment authorized to be levied for the General Purposes of this Act : Provided always, that at the first Meeting of the Commissioners after any such Sentence shall have been brought under Review as aforesaid the Procurator Fiscal or Superintendent of Police shall make a Report of the Facts and Circumstances of the Prosecution on which any such Sentence shall have been pronounced and brought under Review, and the Commissioners shall thereupon direct such Sentence so brought under Review to be defended or not, as to them shall seem proper ; and if they shall direct such Sentence not to be defended, then no Expenses incurred in such Action by such Procurator Fiscal or Superintendent of Police subsequent to such General Meeting shall be defrayed out of the said Assessments.

Fines to
be paid to
the Clerk.

CCCLXXI. That all Forfeitures, Penalties, and Fines imposed by the Magistrate, and recovered, shall be paid to the Clerk, and shall be accounted for by him once every Month, or at such other Time or Times, as the Commissioners may direct, to the Collector, to be disposed of as herein mentioned ; and the Procurator Fiscal is hereby directed, on the First *Monday* of every Month, to intimate to the Collector the Amount of the Forfeitures, Penalties, and Fines imposed in the previous Month.

Applica-
tion of
Penalties.

CCCLXXII. That the whole Forfeitures, Penalties, and Fines imposed by the Magistrate, and paid by the Clerk, shall be applied in Payment of the Expenses incurred in alimnting Prisoners detained in Custody in the Police Office or Station Houses : Provided always, that if such Forfeitures, Penalties, and Fines shall not be sufficient for these Purposes, whatsoever further Sum may be required shall be paid from the Assessment authorized to be levied for the General Purposes of this Act ; and if such Forfeitures, Penalties, and Fines shall be more than sufficient for these Purposes, the Surplus shall form Part of the Funds for the General Purposes of this Act.

For Reco-
very of
forfeited
Bail Bonds
and Bonds
of Caution.

CCCLXXIII. That when any Person shall be apprehended, and afterwards liberated on finding Bail for his Appearance, and shall fail to appear, or when any Person who shall have found Caution for good Behaviour, or for keeping the Peace, as aforesaid, shall commit a new Offence inferring Forfeiture of such Caution, it shall be lawful for the Magistrate to declare

declare the Sum contained in the Bail Bond or Bond of Caution to be forfeited, and to order the Cautioner to be summoned to make Payment thereof to the Clerk within Six Days after the Date of such Citation, and in default of such Payment, after the Lapse of such Period, to grant Warrant for apprehending and imprisoning the Cautioner till the said Sum be paid, but which Period of Detention shall not exceed Thirty Days from the Time of Incarceration, and after such imprisonment no further Procedure against the Cautioner shall be competent on the Bond; and when any Money or other Article shall be deposited by any Person as a Security for his Appearance, and such Person shall fail to appear, it shall be competent to the Magistrate to declare such Deposit to be forfeited; and if it be Money, it shall be forthwith ordered by the Magistrate to be paid to the Clerk; and if it be not Money, such Article so deposited shall be ordered by the Magistrate to be sold by public Auction, and the free Proceeds shall be paid to the Clerk, and in both Cases accounted for by him along with the Forfeitures, Penalties, and Fines to the Collector, and applied in the same Way and Manner as Forfeitures, Penalties, and Fines are by this Act directed to be applied.

CCCLXXIV. That any Bail Bond or Bond of Caution, the Cautioner in which is unable or shall declare he is unable to subscribe his Name, shall be valid and effectual if such Cautioner shall adhibit to such Bond his Mark in Presence of Two Witnesses, who shall subscribe the said Bond in testimony thereof. Cautioners
in Bonds.

CCCLXXV. And be it enacted, That it shall be lawful for the Magistrates and Councils of Parliamentary Burghs in which there are no Means or no adequate Means of defraying the necessary Expenses of their Municipal Establishments and other Expenses attending the Administration of the Affairs of such Burghs respectively, to assess all Occupiers of Premises within such Burghs respectively valued at Three Pounds or upwards of yearly Rent in the Sums necessary for defraying the Expenses of such Municipal Establishments and Administration aforesaid, but in no case to an Amount exceeding Threepence in the Pound of the yearly Rent of such Premises; and such Assessment shall be imposed, levied, and recovered in such and the like Manner, from the same Descriptions of Persons and Property, and under the like Provisions and Exceptions, as the Assessments leviable under this Act for other Purposes are authorized to be imposed, levied, and recovered by the Commissioners. *Assess-
ments in
Burghs.*
Assess-
ments in
Burghs
having no
Revenues.

CCCLXXVI. And be it enacted, That no Burgh in which a Police is maintained by Assessment upon such Burgh under Burghs
maintain-
the

ing Police
to be ex-
empted
from
County As-
sessment.

Incapaci-
tated Per-
sons autho-
rized to
sell.

Applica-
tion of
Compensa-
tion Money
amounting
to L.200.

the Provisions of this Act shall be liable for any Assessment for the Police Purposes of the County in which such Burgh is situated, anything in any Act or Acts of Parliament to the contrary notwithstanding.

CCCLXXVII. And be it enacted, That it shall and may be lawful for all Corporations, Trustees, Heirs of Entail, Tutors, or Curators for Infants, Minors, furious or fatuous Persons, and married Women, and to and for every other Person or Persons whomsoever, though under any legal Disability or Incapacity of any kind whatever, who are or shall be seised or possessed of or interested in any Lands or other Heritages, whether held in Fee Simple or under Entail, which may be necessary for the Purposes of this Act, to contract and agree with the Commissioners for the Sale of, and to sell and convey to the Commissioners, all or any of such Lands or other Heritages, or any Part thereof, for the Purposes of this Act; and all such Contracts, Agreements, Sales, and Conveyances shall be valid and effectual in Law to all Intents and Purposes, any Law, Statute, Usage, or any Matter or Thing, to the contrary notwithstanding; and all and every such Corporation, Trustee, Heir of Entail, Tutor or Curator, married Woman, and other Person, is, are, and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

CCCLXXVIII. And be it enacted, That if any Monies shall be agreed to be paid for any Lands or Heritages purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, or as a Recompense for Damages caused thereby, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into a chartered or other Bank, and without Fee or Reward; and such Money shall be applied, under the Direction and with the Approbation of the Court of Session, to be signified by an Order made upon a summary Petition to be preferred by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Heritages, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Heritages, or affecting other Lands or Heritages standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Heritages, which shall be conveyed

veyed and settled to, for and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands or Heritages which shall be so purchased, taken, or used as aforesaid stood settled or destined, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchases shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Heritages so hereby directed to be purchased, in case such Purchase or Settlement were made.

CCCLXXIX. And be it enacted, That if any Money so agreed to be paid for any Lands or Heritages purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used, or of his, her, or their Guardian or Guardians in case of Infancy or Lunacy, to be signified in Writing under their respective Hands,) be paid into One of the said Banks, and shall be ordered to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Commissioners, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money and the Interest arising thereon may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

CCCLXXX. And be it enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used for the Purposes of this Act, in such Manner as the Commissioners shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, to and for the Use and Benefit of such Person or Persons so entitled respectively.

CCCLXXXI. And

In case of
not making
out Titles,
the Court
may order
Payments
and Ex-
penses.

CCCLXXXI. And be it enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be payable as aforesaid shall refuse to accept the same, or shall not be able to make good a Title to the Premises to the Satisfaction of the Commissioners, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so payable as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Heritages be not known or discovered, then and in every such Case it shall and may be lawful for the Commissioners, or any Two or more of them, to pay the Sum and Sums of Money so payable as aforesaid into one or other of the said Banks, as the Case may be, to the Credit of the Parties interested in the said Lands or Heritages, describing them, if they are known, and if they are not known, then generally to the Credit of the Parties interested in the said Lands or Heritages, without any Description of them, subject to the Order, Control, and Disposition of the Court of Session; which said Court, or either of the Divisions thereof, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by summary Petition, shall be and are hereby empowered to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of such Bank who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into such Bank or Banks as aforesaid.

Where
Questions
arise touch-
ing the
Title to
any Money.

CCCLXXXII. And be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into any such Bank as aforesaid, in pursuance of this Act, for the Purchase of any Lands or Heritages, or of any Estate, Right, or Interest in any Lands or Heritages to be purchased in pursuance thereof, or to any Interest of such Money, the Person or Persons who shall have been in Possession of the Lands or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Session; and the Interest of such Money, and also the Principal Sums, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful one, and that some other Person or Persons was or were lawfully

fully entitled to such Lands or Heritages, or to some Estate or Interest therein.

CCCLXXXIII. And be it enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands or Heritages to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into any of the said Banks, and to be applied in the Purchase of other Lands or Heritages, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court of Session to order the Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Court may order Payment of Expenses in certain Cases.

CCCLXXXIV. And be it enacted, That the Rights of all Heritable Property to be acquired in the Execution of this Act shall be taken in favour of the Clerk of the Commissioners for the Time, and his Successors in Office; and such Rights shall be sufficient for vesting the Subjects in the Commissioners and their Successors in Office; and all Contracts, Agreements, Sales, and Conveyances, or other Deeds or Writings constituting such Right, may be made according to the following Form:

Rights of Heritable Property how to be taken.

‘ I *A.B.* in consideration of
 ‘ to me paid [*or in consideration of the annual Rent of* Form of
 ‘ to me to be hereafter paid by yearly or Convey-
 ‘ half-yearly Payments, as may be agreed on,] by the Com-
 ‘ missioners of Police for the Burgh of do hereby
 ‘ grant, dispone, and convey to as Clerk, to and for
 ‘ behoof of the said Commissioners, and his Successors in Office,
 ‘ all and whole [*describing the Premises to be conveyed*], and all
 ‘ my Right, Title, and Interest to the same, to be holden by the
 ‘ said Commissioners and their Successors for ever, by virtue
 ‘ of an Act [*specify this Act*]. In witness whereof I have sub-
 ‘ scribed these Presents, written by this
 ‘ Day of in the Year of our Lord
 ‘ before these Witnesses [*here insert Witnesses Names and De-*
 ‘ *signations*].’ Which said Conveyance being registered in the
 Register of Sasines of the Burgh or of the County respectively
 in which the Premises conveyed shall be situated, and which
 the respective Keepers of the Registers are hereby authorized
 and required to register, shall receive the same Effect and be
 as valid and effectual to all Intents and Purposes as if a formal
 Disposition

Form of Conveyance.

Disposition had been executed, and followed by Sasine recorded according to the Form of the Law of *Scotland*, any Law, Statute, or Practice to the contrary notwithstanding.

Where any Act or Decision, &c. declared final, the same shall not be reviewable.

CCCLXXXV. And be it enacted, That wherever any Act, Decision, Determination, Declaration, or Deliverance of any Sheriff or Magistrate, or Preses of a Meeting, Commissioner or Commissioners, or other Person whatever, is by this Act declared to be final, the same shall not be subject to be set aside or reviewed or affected by any Court or Judicature, upon any ground or in any manner of way whatever.

Burghs which have adopted the Act 3 & 4 W. 4. c. 46. may adopt this Act, and there-after the said Act shall cease to apply.

CCCLXXXVI. And be it enacted, That any Burgh which has already adopted, in whole or in part, the Powers and Provisions of the said first-recited Act, may, notwithstanding, adopt this Act, in whole or in part, in the Manner hereby authorized; but from and after the Date of the Adoption of this Act, in whole or in part, by such Burgh, the said first-recited Act shall cease to apply thereto, and shall, as regards such Burgh, be thenceforward held as repealed, and it is hereby, from and after such Date, as regards such Burgh, repealed accordingly.

Burghs having Local Acts may adopt this Act, and there-upon Local Acts to be repealed.

CCCLXXXVII. And be it enacted, That any Burgh or Place possessed of any Local Act or Acts of Parliament for the Purpose of regulating the Police thereof, or for paving, draining, cleansing, lighting, or improving the same, may, notwithstanding, adopt this Act, in whole or in part, in the Manner hereby authorized; and from and after the Date of the Adoption of this Act, in whole or in part, by such Burgh or Place, such local Act or Acts shall cease to apply to or be in operation in such Burgh or Place, and shall as regards such Burgh or Place, be held as repealed; and all such Local Acts are hereby, from and after such Date, as regards such Burgh or Place, repealed accordingly, in so far only as regards the Subject Matter adopted in such Burgh under this Act.

Contracts under former Act to be saved.

CCCLXXXVIII. Provided always, and be it enacted, That when this Act shall be adopted, in whole or in part, in any Burgh which had previously adopted, in whole or in part, the Powers and Provisions of the said first-recited Act, or in any Burgh or Place which had previously possessed a Local Act or Acts as aforesaid, all Bonds, Contracts, Covenants, Agreements, and Securities made and entered into, and all Assessments imposed or to be imposed under and by virtue of such first-recited Act, or of such Local Act or Acts, in so far as regards anything done under such Acts or any of them previous to the Adoption of this Act, shall remain in full Force and Effect, and shall continue available and binding on all concerned; and nothing herein contained shall be

be construed to affect the Debts, Rights, or Claims of any Creditor under such first-recited Act, or under such Local Act or Acts; and the Officers appointed under and employed in the Execution of such first-recited Act and of such Local Act or Acts shall continue to exercise their Offices until they are respectively superseded or legally removed therefrom under the Authority of this Act.

CCCLXXXIX. And be it enacted, That no Jurisdiction conferred by this Act shall be held to exclude the Jurisdiction of any Court of Guild, where the Case shall, in the first instance, have been brought before or taken up by such Court of Guild. Jurisdiction of Courts of Guild to be preserved.

CCCXC. And be it enacted, That any of the Enactments of this Act may be incorporated, in whole or in part, with any Act to be passed in the present or any future Session of Parliament; and for the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be sufficient to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates. Act may be incorporated, either in whole or in part, with any future Act.

CCCXCI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament. Act may be amended or repealed, &c.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

NOTICE is hereby given, That in virtue of the Powers contained in an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled "An Act" [*specify this Act*], the Occupiers of Premises in the Burgh of *[or, where the Boundaries have been ascertained by Proceedings under this Act, within the Boundaries following, viz., repeat them as in the recorded Deliverance of the Sheriff,]* of

CAP. XXXIV.

An Act to continue certain Acts for regulating Turnpike Roads in Ireland.—[15th July 1850.]

CAP. XXXV.

An Act to diminish the Delay and Expense of Proceedings in the High Court of Chancery in England.—[15th July 1850.]

CAP. XXXVI.

An Act to facilitate Procedure in the Court of Session in Scotland.—[29th July 1850.]

55 G. 3. c. 42. **W**HEREAS an Act was passed in the Fifty-fifth Year of the Reign of His Majesty King George the Third, intituled *An Act to facilitate the Administration of Justice in that Part of the United Kingdom called Scotland, by the extending Trial by Jury to Civil Causes*; and another Act was passed in the Fifty-ninth Year of the Reign of His said Majesty, intituled *An Act to amend an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled 'An Act to facilitate the Administration of Justice in that Part of the United Kingdom called Scotland, by the extending Trial by Jury to Civil Causes*;' and another Act was passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act for the better regulating of the Forms of Process in the Courts of Law in Scotland*; and another Act was passed in the Session of Parliament holden in the Eleventh Year of the Reign of His Majesty King George the Fourth and in the First Year of the Reign of His Majesty King William the Fourth, intituled *An Act for uniting the Benefits of Jury Trial in Civil Cases with the ordinary Jurisdiction of the Court of Session, and for making certain other Alterations and Reductions in the Judicial Establishments of Scotland*; and another Act was passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled

59 G. 3. c. 35.
6 G. 4. c. 120.
11 G. 4. & 1 W. 4. c. 69.

An

An Act to make certain Alterations in the Duties of the Lords Ordinary, and in the Establishment of Clerks and Officers of the Court of Session and Court of Commissioners for Teinds in Scotland, and to reduce the Fees payable in those Courts: And whereas it is expedient that the Provisions and Enactments of the said recited Acts should be in some respects altered and amended, and further Regulations established for expediting the Business of the Court of Session in Scotland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Pursuer of any Summons before the Court of Session shall set forth in such Summons, in such Way and Manner as the Court, having regard to the Forms set forth in Schedule (A.) hereunto annexed, may from Time to Time prescribe by Act of Sederunt as applicable to the various Forms of Action now in use, the Name and Designation of such Pursuer, and the Name and Designation of the Defender, and the Conclusions of the Action, without any Statement whatever of the Grounds of Action; but the Allegations in Fact which form the Grounds of Action shall be set forth in an Articulate Condescendence, together with a Note of the Pursuer's Pleas in Law, which Condescendence and Pleas in Law shall be annexed to such Summons, and shall be held to constitute Part thereof; and the Defences to such Summons shall be in the Form of Articulate Answers to such Condescendence, and, where necessary, appended thereto a Statement of the Allegations in Fact on which the Defender founds in Defence, and also a Note of the Defender's Pleas in Law.

1 & 2 Vict.
c. 118.

New Form
of Sum-
mons and
Defences.

II. And be it enacted, that where Defences are lodged, and unless the Record shall be closed upon the Summons and Defences, the Record shall be made by Revisal by the Pursuer of the Condescendence annexed to his Summons, and Revisal by the Defender of his Defences; and upon the Expiration of the original or prorogated Period, as the Case may be, for lodging a revised Condescendence, if no revised Condescendence shall be lodged, and upon the Expiration of the original or prorogated Period, as the Case may be, for lodging revised Defences, if a revised Condescendence shall be lodged, or sooner if the Parties shall consent thereto, the Clerk to the Process shall transmit the same to the Lord Ordinary, and the Lord Ordinary shall appoint a Time, being within Six Days from the Date of the Process being so transmitted to him, for Parties attending him at Chambers, by their Counsel, with a view to the Adjustment and closing of the Record; and the Lord Ordinary may at such Meeting, or at any adjourned Meeting

Record,
how to be
made up.

Meeting which he may appoint, allow or require such Alterations and Amendments to be made on the Record as to him may seem proper, and may close the Record, or appoint a Day on or before which the Record shall be closed; and if the Record shall not be closed on or before the Day fixed by such Appointment or subsequent Prorogation, the Lord Ordinary shall pronounce an Interlocutor declaring it closed accordingly.

Where Pursuer willing, Record may be closed on Summons and Defences.

III. Provided always, and be it enacted, That where the Pursuer is willing to close the Record upon the Summons and Defences without any Revisal, a Consent to that Effect may be endorsed on the Defences, and signed by Counsel; and it shall then be the Duty of the Clerk to the Process to transmit the Process forthwith to the Lord Ordinary, with a view to the Adjustment and closing of the Record as aforesaid; and the Case shall thenceforward be proceeded with in the same Way and Manner, and the same Regulations and Provisions shall thereupon apply, as in the other Cases of Transmission to the Lord Ordinary, with a view to the Adjustment and closing of the Record, herein-before mentioned: Provided always, that it shall in such Case be competent to the Lord Ordinary, upon the Motion of the Defender, and by an Interlocutor to be pronounced by the Lord Ordinary, either in Court or at Chambers, to make such Order for or with a view to Revisal as he may deem fit.

Prorogations, how to be granted.

IV. And be it enacted, That the Periods appointed for lodging any Paper, or for transmitting any Process to a Lord Ordinary, or for closing a Record, may always be prorogated by written Consent of Parties; and the Periods appointed for lodging any Paper, or for closing a Record, may always be once prorogated by the Lord Ordinary, without such Consent, on special Cause shown; and such Prorogations may be granted, of Consent as aforesaid, either before or after the Lapse of such Periods; and in every Interlocutor of a Lord Ordinary prorogating, on special Cause shown, the Time for lodging any Paper or for closing a Record, the Nature of such Cause shall be set forth, and a definite Time shall be therein fixed within which the Paper is to be lodged, or the Record closed; and it shall not be competent to the Lord Ordinary to grant such Prorogation, even upon Cause shown, oftener than once, unless such Cause shall have been allowed by the Inner House on the Report of the Lord Ordinary.

Record to be closed by Interlocutor, and no Authentication by

V. And be it enacted, That it shall not be necessary, in order to the closing of a Record in any Process before the Court of Session, that the Record be authenticated by Counsel as adjusted or closed, whether by Minute of Assent or otherwise, but such Record shall be closed by Interlocutor of the Lord Ordinary before whom the Process depends; and such Interlocutor

Interlocutor shall be subject to Review of the Inner House ; and the Interlocutor of the Inner House to be pronounced on such Review shall not in any Case be subject to Appeal as an Interlocutory Judgment. Counsel to be necessary.

VI. And be it enacted, That it shall not be necessary to print any Part of the Process before the closing of the Record ; but when the Record is closed, if it shall appear to the Lord Ordinary to be expedient that the same should be printed while the Cause is in dependence in the Outer House, the Lord Ordinary may appoint such Number of Copies thereof as he may deem proper to be printed by the Pursuer at the mutual Expense of the Parties ; and on such Appointment being made the Pursuer shall print such Copies accordingly, and upon Payment by the Defender of One Half of the whole Expense of such Printing, shall furnish to him One Half of such Copies. Lord Ordinary may appoint closed Record to be printed.

VII. And be it enacted, That where in a Process of Reduction the Defender is to object to the Title of the Pursuer, or to plead on an exclusive Title, or to state any other Objection against satisfying the Production, he shall in the first instance lodge Defences confined to these Points, and the Form of such Defences, and the Procedure thereon, shall be the same as in the Case of peremptory Defences in an ordinary Action ; and if the Defences so lodged shall be repelled, the Defender, after the Production has been satisfied, shall give in Defences applicable to the Grounds of Reduction and upon the Merits of the Reduction, and a Record may be made up thereafter as in any ordinary Action. Dilatory Defences in Reductions, how to be disposed of.

VIII. And be it enacted, That in a Process of Reduction the Production may be satisfied either during Session or on any Box Day in Vacation or Recess. Production may be satisfied on Box Day.

IX. And be it enacted, That where Answers are lodged by a Respondent in any Process of Suspension or Advocation, the Record shall thereafter be made up therein in the same Way and Manner in all respects as is directed by this Act in regard to any ordinary Action in which Defences have been lodged ; and the Pursuer of such Process of Advocation or Suspension and the Respondent therein shall have severally the same Rights and Privileges as the Pursuer and Defender in such ordinary Action respectively ; and the whole Provisions and Enactments of this Act in regard to the making up of the Record in such ordinary Actions shall apply, as far as may be, to such Processes of Advocation and Suspension. Record to be made up in Advocations and Suspensions, after Answers are lodged, similarly to other Actions ;

X. And be it enacted, That the Procedure with respect to the making up of the Record in Processes of Competition, or other Processes to which the Provisions of this Act with respect to the making up of the Record may not be applicable, shall and in Processes of Competition, &c. as may be fixed by

the Court
of Session
by Act of
Sederunt.

shall be conducted as at present, until regulated by the Court of Session; but the Procedure in such Actions shall be regulated by the said Court by Act of Sederunt, as soon as conveniently may be after the Date at which this Act shall take effect, in such Way and Manner as to assimilate in so far as convenient the Procedure in such Actions with respect to the making up of the Record to the Procedure by this Act provided.

Reclaim-
ing Days
limited to
Ten, ex-
cept for
Judgments
on the
Merits,
and De-
crees in
Absence.

XI. And be it enacted, That it shall not be competent to reclaim against any Interlocutor of the Lord Ordinary, at any Time after the Expiration of Ten Days from the Date of signing such Interlocutor, with the Exception only of Reclaiming Notes against Interlocutors disposing in whole or in part of the Merits of the Cause, and against Decrees in Absence, which Reclaiming Notes shall continue to be competent in like Manner as at the passing of this Act.

Reclaim-
ing Notes
during the
making
up of the
Record
prohibited,
except
with
Leave of
the Lord
Ordinary.

XII. And be it enacted, That it shall not be competent to reclaim against any Interlocutor of a Lord Ordinary, not being an Interlocutor disposing of a dilatory Defence, or an Interlocutor sisting Process, or an Interlocutor disposing in whole or in part of the Merits of the Cause, pronounced before the closing of the Record: Provided always, that any Interlocutor pronounced before the closing of the Record may be reclaimed against, with the Leave of the Lord Ordinary, at any Time within Ten Days from the Date of pronouncing the same, or without the Leave of the Lord Ordinary, at any Time within Ten Days from the Date of signing the Interlocutor closing the Record.

Process
may pro-
ceed, not-
withstand-
ing Re-
claiming
Note or
Appeal.

XIII. And be it enacted, that no Reclaiming Note to the Inner House, and no Petition of Appeal to the House of Lords, in any Process before the Court of Session, shall be held to remove such Process from before the Lord Ordinary or the Court, as the Case may be, as regards any Point or Points not necessarily dependent on the Interlocutor so submitted to Review, but such Process shall, for all Purposes, and to all Effects not necessarily dependent on such Interlocutor, remain before the Lord Ordinary or the Court, as the Case may be, and shall be proceeded in by the Lord Ordinary or the Court notwithstanding such Reclaiming Note or Appeal, if it appear to the Lord Ordinary or the Court to be expedient and proper.

Lords Or-
dinary not
to order
written
Argument.

XIV. And be it enacted, That it shall not be competent to the Lord Ordinary to direct Cases or Minutes of Debate or other written Argument to be prepared by the Parties, whether for the Use of himself or of the Inner House; but it shall be competent for the Lord Ordinary at any Time after hearing Parties on a closed Record to take such Cause to report

report to the Inner House without Cases or Minutes of Debate.

XV. And be it enacted, That all Summonses in Consistorial or other Causes which are at the passing of this Act required to be signed by a Clerk of the Court of Session may be signed either by such Clerk or by a Writer to Her Majesty's Signet; and the Signature of such Writer to Her Majesty's Signet shall be in all respects equivalent to the Signature of such Clerk.

Summonses now signed by Clerk of the Court of Session may be signed by a Writer to the Signet. Actions of Adherence, &c. to be instituted in the Court of Session.

XVI. And be it enacted and declared, That all the Provisions of the said recited Act passed in the Session of Parliament holden in the Eleventh Year of the Reign of His Majesty King *George* the Fourth and the First Year of the Reign of His Majesty King *William* the Fourth, and of this Act, applicable to Actions of Declarator of Marriage and of Nullity of Marriage, and to Actions of Declarator of Legitimacy and of Bastardy, and to Actions of Divorce, and to Actions of Separation *à mensâ et thoro*, are and shall be applicable to Actions of Adherence, and all other Consistorial Actions, though not specially mentioned in the said recited Act.

XVII. And be it enacted, That no Member of the College of Justice shall, in respect of any Privilege as such, be entitled to institute any Action or Proceeding, either original or by way of Review, before the Court of Session which could not have been instituted by him before such Court if he had not been a member of the College of Justice.

Members of College of Justice not to institute Actions not otherwise competent.

XVIII. And be it enacted, That it shall not be necessary that any Summons before the Court of Session shall proceed upon a Bill; and no Summons passing the Signet shall bear any Date but the Date of signeting, which shall be held to be the Date of the Summons.

Summonses not to proceed on Bills, or to bear Dates

XIX. And be it enacted, That in Summonses of Multiplepinding it shall be the Duty of the Party raising such Action to state specifically in the Body of the Summons who is the real Raiser of the Action; and it shall be competent for any Number of Parties whose Claims in such Action depend upon the same Ground to state such Claims in the same Paper.

except the Dates of signeting. Regulations as to Multiplepindings.

XX. And be it enacted, That every Execution of a Summons, and every Execution of Intimation of a Note of Suspension, or of Suspension and Interdict, or of Suspension and Liberation, or of Advocation, shall be written at the End of the Summons itself, or at the End of the usual certified Copy of such Note of Suspension, or of Suspension and Interdict, or of Suspension and Liberation, or of Advocation, and, where necessary, on continuous Sheets, but not on a separate Paper; and such Execution shall be in the Form, or as nearly as may be

Short Forms of Execution provided.

be in the Form, of Schedule (B.) hereunto annexed, which Form shall be equally valid and effectual in all respects as the longer Form of Execution at present in use.

Induciæ
of Sum-
monses
and other
Writs
passing
the Signet
shortened.

XXI. And be it enacted, That all Summonses before the Court of Session may proceed on Fourteen Days Warning where the Defender is within *Scotland*, unless in *Orkney* or *Shetland*, and Twenty-one Days Warning where he is in *Orkney* or *Shetland* or furth of *Scotland*, in place of the longer Induciæ required by the present Practice; and such shorter Induciæ shall also be competent and sufficient in respect to all other Letters passing Her Majesty's Signet bearing a Citation, Charge, Publication, or service against Persons within or furth of *Scotland* respectively, and in respect to all Edictal Charges upon Decrees and registered Protests: Provided always, that in all Cases where any shorter Induciæ than the Induciæ above mentioned are at present sufficient, such shorter Induciæ shall continue to be sufficient after the passing of this Act.

Edictal
Citations
regulated.

XXII. And be it enacted, That the subsisting Forms of Edictal Citation, Charge, Publication, Citation, and Service at the Market Cross of *Edinburgh*, and Pier and Shore of *Leith*, in Processes of Ranking and Sale, and in all other Processes and Proceedings whatsoever, and also the subsisting Forms of Edictal Citations of the Minor's next of Kin at the Market Cross of the County Town or Head Burgh of the Shire where the Minor has his Lands and Goods, and of Citation of the Tutors and Curators of Minors at the Market Cross of the County Town or Head Burgh of the Shire of the Minor's Residence, shall cease and be discontinued; and in lieu thereof all such Edictal Citations, Charges, Publications, Citations, and Services shall be done and performed by Delivery of a Copy thereof at the Office of the Keeper of Edictal Citations according to the Mode established by the said recited Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth in regard to Persons furth of *Scotland*, and by an Act of Sederunt of the Court of Session dated the Twenty-fourth Day of *December* One thousand eight hundred and thirty-eight.

Protesta-
tions for
not calling
and enrol-
ling regu-
lated.

XXIII. And be it enacted, That where Protestation shall be put up in the Minute Book of the Court of Session in reference to any Summons, Suspension, or Advocacy, and Warrant is issued for Extract thereof, if it be a Protestation for not calling, such Extract shall contain a Decerniture for Three Pounds Three Shillings of Protestation Money, as Expenses, in lieu of such Sum of Protestation Money as would in that Case be inserted in the Extract according to the present Practice; and if the Protestation be for not enrolling,
but

but after the Calling and Return of the Summons or other initial Writ, with or without Defences or Answers, as the Case may require, the Defender or Respondent shall be entitled to his just Expenses as between Party and Party; and the Auditor of Court shall tax the Account of these Expenses accordingly, as in the Case of a Decree in Absence, on Production to him of the Protestation as given out for Extract, or of a Certificate by the Keeper of the Minute Book that the same has been given out for Extract; and the Account so taxed shall be a sufficient Warrant to the Extractor to insert the taxed Amount as the just Expenses, together with the Expense of Extract, in the Extract Protestation, in lieu of the Sum at present inserted as Expenses in such Extract: Provided always, that a Pursuer may be reponed against a Protestation for not calling at any Time not later than Ten Days after the same has been given out for Extract, whether Extract shall have issued or not, by lodging with the Clerk, in order to calling, his Summons or other Writ, with the relative Documents, accompanied by the Receipt of the Agent, for the Defender for the said Sum of Three Pounds Three Shillings of Protestation Money, or consigning the Money itself in the Hands of the Clerk, for the Use of the Agent for the Defender, and payable to him on demand; and that a Pursuer may also be reponed, within the like Period, against a Protestation for not enrolling and insisting, by enrolling his Summons or other Writ in the Outer House Roll, and forthwith lodging that Writ, with the Enrolling Clerk's Certificate of Enrolment annexed, in the Hands of the Clerk, as thenceforward a depending Process, accompanied by the Receipt of the Agent for the Defender for the taxed Amount of the Protestation Money and Expense of Extract, or, in lieu thereof, consigning the Money itself in the Hands of the Clerk for the Use of such Agent, and payable to him on demand: Provided also, that whenever a Summons or other Writ shall have been duly enrolled by the Pursuer in the Outer House Roll, whether Protestation shall have been put up or not, the same shall thenceforth become to all Intents and Purposes a depending Process, under Control of the Lord Ordinary and of the Court, until finally disposed of by Interlocutor.

XXIV. And be it enacted, That the granting of Bonds *De damnis et impensis* by the Pursuer, and of Bonds *De judicio sisti et judicatum solvi* by the Defender, in Maritime Causes, before the Court of Session, shall be and the same is hereby abolished, reserving the Operation and Effect of all such Bonds bearing Date prior to the Date at which this Act shall take effect.

Granting
Judicial
Bonds in
Maritime
Causes
abolished.

XXV. And be it enacted, That it shall not be necessary to obtain

Copy of an
Interlocu-

tor grant-
ing Com-
mission or
Diligence
to be equi-
valent to a
formal Ex-
tract.

obtain a formal Extract of any Commission or Diligence granted or to be granted by a Lord Ordinary or the Court in any Process or Proceeding before the Court of Session, but a Copy of the Interlocutor granting such Commission and Diligence, or One or other of them, certified by the Clerk to such Process or Proceeding, or by his Assistant, shall have the same Force, Operation, and Effect as such formal Extract according to the present Practice.

Witnesses
abroad
may be
examined
in Consis-
torial
Causes by
Commis-
sion.

XXVI. And be it enacted, That where in Consistorial Causes either Party desires to examine Witnesses furth of the Kingdom, the Depositions of such Witnesses may be taken under a Commission to be issued by the Lord Ordinary or the Court to any Commissioner whom they may appoint, in the same Manner as in any Proof upon Commission in an ordinary Action.

Diligences
may be re-
ported on
Box Days.

XXVII. And be it enacted, That in all Cases it shall be competent to appoint a Diligence to be reported on any Box Day in Vacation or Recess.

Interim
Decrees to
be extrac-
tible with-
out special
Allow-
ance.

XXVIII. And be it enacted, That every Act and Warrant and Decree granted or to be granted during the Dependence of a Process before the Court of Session, and which according to the present Practice might be extracted *ad interim*, if special Allowance to that Effect were granted by the Lord Ordinary or the Court, shall be extractible *ad interim* without the Necessity of such special Allowance, unless the Lord Ordinary or the Court shall otherwise direct.

Decree for
Expenses
to include
Expense of
Extract.

XXIX. And be it enacted, That every Decree for Expenses pronounced after the passing of this Act shall be held to include a Decree for the Expense of extracting the same.

Actions
may be
wakened
without a
Summons.

XXX. And be it enacted, That where according to present Practice a Cause would require to be wakened in order to its being proceeded with, it shall be competent for either of the Parties to enrol such Cause before the Lord Ordinary in common Form in order to an Interlocutor of Wakening, and the Lord Ordinary may thereupon direct Ten Days Intimation of such Motion to be made to the known Agent of the other Party in the Cause, or to such Party himself, and also in the Minute Book of the Court of Session; and on the Expiration of Ten Days from the Date of such Intimations being made respectively, and on a Certificate being lodged in Process under the Hand of the Agent of the Party applying for such Wakening, certifying that he has duly intimated such Interlocutor in Terms thereof to the opposite Party or to his known Agent, either by Delivery to such Party or his Agent personally or by Transmission through the Post to the known Address, of such Party or Agent, of a full Copy of such Interlocutor, it shall be competent to the Lord Ordinary to hold the Cause

as wakened, and the same may thereafter be proceeded with as wakened accordingly.

XXXI. And be it enacted, That where any Action shall be transferred against any Party or Parties, such Transference shall include a Wakening against such Party or Parties.

Transference of Action to include a Wakening.

XXXII. And be it enacted, That in all Cases of Advocation or Suspension which shall come to depend before the Court of Session, where a Record has been made up and closed and a Proof led and concluded before the Inferior Judge, the Lord Ordinary before whom such Advocation or Suspension is enrolled shall at the first Calling of the Cause, if a Motion to that Effect be made by either of the Parties, appoint such Record and Proof, with any other Papers which may be deemed to be necessary, to be printed and boxed for the Judges of the Inner House, and shall report the Cause to the Inner House, who shall thereupon proceed to dispose of it in the same Way and Manner as if it had been reported by the Lord Ordinary upon a closed Record prepared in the Court of Session; and the Party by whom such Motion is made shall defray in the first Instance the Expense of such Printing.

In Advocations and Suspensions, if Record closed and Proof concluded in Inferior Court, Case may be taken at once to the Inner House without a Judgment of the Lord Ordinary.

XXXIII. And be it enacted, That in every Process of Suspension of any Charge or threatened Charge, and in every Process of Suspension of a Decree, and in every Process of Interdict where Interdict has been granted in the Bill Chamber, and is unrecalled, it shall be lawful for the Respondent in such Process, so soon as the Note of Suspension, or Note of Suspension and Interdict, is passed, and at any Time not later than the Twelfth Day from the Date of the Interlocutor passing the same, or in the Case of a Suspension of a Decree not later than the Twelfth Day from the Date of the Service of the Note of Suspension and Interlocutor passing the same upon the Respondent, to fix the Lord Ordinary and Division of the Court of Session to which such Process shall belong, and that by Indorsation of the Names of such Lord Ordinary and Division on such passed Note of Suspension, or of Suspension and Interdict, signed by such Respondent, or his Counsel or Agent in such Process, unless where such Note of Suspension, or Note of Suspension and Interdict, has been passed on Review by or on advising with either Division of the Court, in which Case the Process shall be fixed throughout with that Division of the Court as at present; and in every Process of Advocation it shall be lawful for the Pursuer or Petitioner in the Inferior Court (except in the Case of counter conjoined Processes, or of Competitions or Advocations of Brieves) at any Time not later than the Twelfth Day from the Date of the Intimation of the Note of Advocation, and Notice of its Receipt by a Clerk of the Court of Session, to the Respondent,

Who to fix Lord Ordinary and Division in Advocations and Suspensions.

or

or not later than the Twelfth Day from the Date of the passing of the Note of Advocation, to fix the Lord Ordinary and Division of the Court to which such Process shall belong, and that by Indorsation on such Note of Advocation as aforesaid; and such passed Notes of Suspension, and of Suspension and Interdict, and of Advocation, shall, during the Period above mentioned, be always in the Custody of the Clerks of the Bills, or of the Clerk to the Process, who shall not be entitled to lend up the same to the Parties or either of them, or to part with the Custody thereof, until such Period has elapsed: Provided always, that, except in the Cases herein-before specially provided for, the Right to fix the Lord Ordinary and Division of the Court to which any Process of Suspension, or Suspension and Interdict, or Advocation, shall belong, shall remain as at the Date of the passing of this Act.

Advoca-
tions on
Juratory
Caution
not to be
proceeded
with where
there is no
probabilis
Causa.

XXXIV. And be it enacted, That where any Note of Advocation shall be presented on Juratory Caution it shall be incumbent on the Advocator to make immediate Application to the Lawyers for the Poor, for a Report that he has a *probabilis Causa litigandi*, and if the Advocator shall fail to make such Application, or if the Lawyers for the Poor shall upon such Application report their Opinion that no *probabilis Causa* has been established, the Advocation shall be dismissed with Expenses, unless full Caution be forthwith offered and found in common Form.

Provision
as to one
Division of
the Court
consulting
the other.

XXXV. And be it enacted, That it shall be competent to the Judges of either Division of the Court in any Cause in which they shall be equally divided in Opinion to direct such Cause to be judged by the Inner House Judges of both Divisions, and to appoint such Cause to be heard by such Inner House Judges, either on any Sederunt Day during Session, or at any Time during the Sittings of the Lords Ordinary, either before or after the Sittings of the Two Divisions of the Court for the Winter Session; and such Cause shall thereupon be so heard and judged by the Judges of the Division of the Court before which the same depends, with the Addition of Three Judges of the other Division of the Court; and the Judgment shall in all Causes be pronounced according to the Opinion of the Majority of the Judges present, and the Interlocutor shall bear to be the Judgment of the Division before which the Cause depends, after consulting with the other Division of the Court; but the Lord Justice General shall always be the presiding Judge whenever his Lordship sits as a Member of the Court.

Procedure
in Jury
Causes to
be the

XXXVI. And be it enacted, That in all Causes appropriated for Trial by Jury, or in the course of Preparation for Trial by Jury, before the Court of Session, the Procedure, both

both before and after the closing of the Record, shall be in all respects the same, so far as applicable, as in other Court of Session Causes for the Time being, except in so far as it may be otherwise provided by this Act, or by any Act of Sederunt to be passed by the said Court under the Powers by this Act conferred.

same, so far as is applicable, as in other Court of Session Causes.

XXXVII. And be it enacted, That the Offices of Issue Clerk and Jury Clerk be and the same are hereby abolished; and in future all the Duties hitherto performed by an Issue Clerk or Jury Clerk, or by any Person acting as an Issue Clerk or Jury Clerk, and still remaining to be performed, after the Date at which this Act shall take effect may be performed by any Clerk of Session, either in the Inner or Outer House; and each Clerk of Session shall, so far as relates to all the Causes appropriated or in the Course of Preparation for Trial by Jury in or connected with his own Office, or depending before the Lord Ordinary or Division of the Court to which he is attached, be charged with all the Duties hitherto performed by an Issue Clerk or Jury Clerk, or by any Person acting as an Issue Clerk or Jury Clerk, and remaining to be performed as aforesaid.

Offices of Issue Clerk and Jury Clerk abolished.

XXXVIII. And be it enacted, That where in the course of any Cause before the Court of Session Matter of Fact is to be determined, and an Issue is to be adjusted with reference thereto, it shall be the Duty of the Pursuer to prepare and lodge in Process the Issue he proposes, and it shall be the Duty of the Defender to prepare and lodge in Process any counter Issue required by the Nature of his Defence; and the Lord Ordinary before whom such Cause depends, after causing Issues to be prepared and lodged as aforesaid, shall forthwith appoint Parties to attend him at Chambers, or shall order the Case to the Roll, for the Adjustment of an Issue or Issues for the Trial of such Cause, or of such Matter of Fact arising therein as is to be determined by Jury Trial; and if such Issue or Issues be not adjusted and settled with the Consent of Parties at the Meeting or Enrolment so fixed, or at a second such Meeting or Enrolment for the same Purpose, if such second Meeting or Enrolment shall be appointed by the Lord Ordinary, the Lord Ordinary shall immediately report the Matter to the Inner House, by whom such Issue or Issues shall, upon such Report, be adjusted and settled.

Procedure for the Adjustment of Issues.

XXXIX. And be it enacted, That it shall not be necessary to engross any Issue or Issues with a view to Trial by Jury, but such Issue or Issues, when adjusted and settled as aforesaid by the Lord Ordinary or the Court, shall at the same Time be approved by Interlocutor to that Effect, and shall be signed and authenticated by the Judge as relative thereto,

Engrossment of Issues abolished.

which

which Proceeding shall be equivalent to Engrossment as at present practised.

On Issues being approved of, Time and Place of Trial to be fixed.

XL. And be it enacted, That where an Issue or Issues is or are approved as aforesaid, it shall be competent to the Lord Ordinary in the Cause, on the Motion of either of the Parties, to appoint a Time and Place for the Trial of such Issue or Issues, such Time being as soon after the Date of such Approval as with reference to the proper Trial of such Issue or Issues conveniently may be, and, except upon special Cause shown, not later than Three Weeks from the Date of such Motion; and such Trial shall proceed at the Time and Place so appointed, unless at the Time of such Appointment one or other of the Parties shall intimate to the Lord Ordinary that he objects thereto, in which Case the Lord Ordinary shall report the Matter to the Court, by whom it shall be fixed when and where the Trial shall proceed.

Lord Ordinary in the Cause to preside at Trial during Session.

XLI. And be it enacted, That unless where some different Arrangement shall be made by the Court, upon Motion to that Effect, the Lord Ordinary before whom the Cause depends shall preside at the Trial of such Issue or Issues in all Cases where such Trial shall take place during the Sitting of the Court.

Lord Ordinary, &c. to have Power to summon Jury, and to appoint Cause to be tried by a Special Jury.

XLII. And be it enacted, That all the Powers and Duties in regard to the summoning of Juries for the Trial of Issues in Civil Causes at present exercised or performed by the Court of Session, or by any Division of the said Court, or by any Clerk or Clerks in Jury Causes, may be competently exercised and performed by any Lord Ordinary, or by any Clerk of Session officiating either in the Outer or Inner House; and it shall be lawful for any Lord Ordinary, in any cause depending before the Court of Session, on the Application of either of the Parties, to appoint any Issue or Issues in such Cause to be tried by a Special Jury.

Certified Copy of the Interlocutor fixing the Trial to be the Warrant for citing Witnesses.

XLIII. And be it enacted, That a Copy of the Interlocutor fixing the Trial, certified by the Clerk to the Process or by his Assistant, shall be a sufficient Warrant to any Messenger at Arms to cite Witnesses and Havers to the said Trial, either for the Pursuer or Defender.

Counsel for each Party to be heard after Evidence closed.

XLIV. And be it enacted, That in every Trial of Issues in a Cause before the Court of Session, and subject to such Regulations in regard to opening the Case on the Part of the Pursuer and Defender as the Court may establish, One Counsel for the Pursuer and One Counsel for the Defender shall be heard, in their Order, after the whole Evidence in the Cause is closed.

Restriction of Bills of Exceptions.

XLV. And be it enacted, That a Bill of Exceptions shall not be allowed in any Cause before the Court of Session, upon the Ground of the undue Admission of Evidence, if in the
Opinion

Opinion of the Court the Exclusion of such Evidence could not have led to a different Verdict than that actually pronounced; and it shall not be imperative on the Court to sustain a Bill of Exceptions, on the Ground of the undue Rejection of documentary Evidence, when it shall appear from the Documents themselves that they ought not to have affected the Result at which the Jury by their Verdict have arrived.

XLVI. And be it enacted, That if the Parties in any Cause before the Court of Session in which an Issue has been adjusted shall consent to the Lord Ordinary before whom such Cause depends trying such Issue without a Jury, such Lord Ordinary shall, unless the Court, on the Report of such Lord Ordinary, shall deem it inexpedient and improper, try such Issue without a Jury accordingly; and whenever any Issue shall be tried by a Lord Ordinary without a Jury, such Lord Ordinary shall take Notes of the Evidence, and shall hear Counsel thereon, and otherwise the Proceedings shall be conducted continuously and as nearly as may be as in an ordinary Jury Trial; and within Eight Days after the Proceedings at the Trial are concluded such Lord Ordinary shall pronounce an Interlocutor, in which he shall state specifically what he finds in Point of Fact; and it shall be competent to either Party, by written Note, within Eight Days from its Date, to bring such Interlocutor of the Lord Ordinary under Review of the Lord Ordinary upon his own Notes of Evidence, who shall forthwith hear Parties thereon; and it shall be competent to the Lord Ordinary, upon such Review, and within Eight Days after hearing Parties, either to correct his Interlocutor as regards such Findings in Fact, or to order a new Trial, as he may think fit: Provided always, that if either of such Periods of Eight Days extends into Vacation or Recess, such Period shall not be held to elapse till the Fourth Day after the next Meeting of the Lords Ordinary or the Court thereafter.

Lord Ordinary may try Issues of Consent without a Jury.

XLVII. And be it enacted, That unless it shall appear that such Findings in Point of Fact by such Lord Ordinary proceeded on some erroneous View of the Law, as to Competency of Evidence or otherwise, such Findings in Fact shall be final; but it shall be competent to either of the Parties to raise, on a Reclaiming Note to the Inner House, any Question of Law which may be relevantly raised upon the Evidence as appearing in the Notes of such Lord Ordinary taken as aforesaid; and no Objection to any Finding in Point of Law by such Lord Ordinary during the Proceedings at the Trial shall be competent unless such Objection was stated, and noted by the Lord Ordinary at the Time of such Finding; and the Notes of the Lord Ordinary shall be referred to for no other Purpose than to decide such Questions of Law: Provided always,

Lord Ordinary's Findings in Fact shall be final unless reclaimed against.

Proviso as
to Appeals
on Ques-
tions of
Law.

always, that any Appeal which may be entered to the House of Lords against any Interlocutor which may be pronounced by the Inner House on any such Question of Law shall be subject to the same Regulations and entitled to the same Privileges in all respects as Appeals against Interlocutors or Judgments upon Bills of Exceptions are at present subject and entitled to.

Lord Ord-
inary may
try special
Facts with-
out a Jury.

XLVIII. And whereas Cases may arise in which it is desirable that Questions of Fact should be investigated without Trial by Jury or Proof on Commission: Be it enacted, That in any Cause before the Court of Session it shall be competent to the Lord Ordinary before whom such Cause depends, without adjusting an Issue or Issues, to pronounce an Interlocutor, stating distinctly any such Question or Questions to which the Parties are to address their Proof, and appointing such Question or Questions for Trial by himself, without a Jury; and the Proof to be adduced by the Parties shall in such Case be limited to the Points so stated, and shall proceed at such Time and Place as shall be appointed, unless on Review of such Interlocutor it shall appear to the Court that such Course of Procedure is not in the Circumstances of the Case expedient, or the Interlocutor be otherwise altered by the Court; and the Lord Ordinary shall find on each such Question separately, and his Findings on such Questions shall be final, subject always to such Review, Correction, and Objections as would have been competent thereagainst under this Act if the Cause had been tried by such Lord Ordinary on Issues.

Lord Ord-
inary may
take the
Evidence
by Com-
mission
except in
the enu-
merated
Causes.

XLIX. And be it enacted, That in any Cause before the Court of Session, not falling within the Causes specially enumerated in the said recited Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth as appropriate to be tried by Jury, it shall be competent to the Lord Ordinary before whom such Cause depends, with the Consent of both Parties or upon the Motion of One Party, with the Leave of the Inner House obtained upon the Report of the Lord Ordinary, or to the Court when the Cause comes in to the Inner House, to appoint the Evidence in such Case, or any Portion of such Evidence, to be taken by Commission: Provided always, that it shall be competent for the Court to allow Proof on Commission in any of such enumerated Causes where the Action is not an Action for Libel or for Nuisance, or properly and in Substance an Action of Damages.

Parties
may choose
their own
Jury.

L. And whereas it is expedient to extend the Benefits of Arbitration: Be it enacted, That if the Parties in any Cause before the Court of Session in which an Issue is to be tried shall consent to refer the same to any One Arbitrer, or to any Three, Five, or Seven Arbiters, it shall be lawful for the Court

Court or the Lord Ordinary, and the Court or Lord Ordinary is hereby required to allow such Arbiter or Arbiters to be sworn and to sit as a Jury to try such Issue; and such Arbiter or Arbiters, or the major Part of their Number in the event of Difference of Opinion, shall have all the Powers of a unanimous Jury; and the Proceedings of such Trial shall be conducted, as far as may be, as in any ordinary Case of Trial by Jury, either Party being entitled to take Exceptions, and to move for new Trial, as in any ordinary Case: Provided always, that it shall not be competent to either Party to object to the Verdict or to move for new Trial, in respect of the Verdict being against Evidence, or on any other Ground implying Miscarriage on the Part of the Jury alone: Provided also, that the Court, in the event of granting a new Trial, shall direct the new Trial to proceed before the same Arbiter or Arbiters, if able to try the Cause, and the new Trial shall in that Case proceed before the same Arbiter or Arbiters accordingly.

LI. And be it enacted, That where by the Provisions of this Act anything may be done upon Report of a Lord Ordinary to one or other of the Divisions of the Court, the same may be done summarily by a simple verbal Report to be made by such Lord Ordinary to such Division.

Reports by
LordsOrdinary
to be
verbal.

LII. And be it enacted, That it shall be lawful for any Clerk or Officer of the Court of Session or other Court, entitled to Compensation for Loss to be suffered through the Operation or Effect of this Act, to make Application to the Commissioners of Her Majesty's Treasury for Compensation, giving at the same Time Notice of such Application to Her Majesty's Advocate for *Scotland*; and it shall be lawful for the said Commissioners of the Treasury to investigate such Claim, and call for such Evidence in relation thereto as they may think necessary; and upon such Claim being established to their Satisfaction the said Commissioners are hereby authorized and empowered out of such Monies as Parliament shall hereafter provide, to award to such Person such Compensation as they shall, under all the Circumstances of the Case, and having reference to the Nature of the Appointment and the Duration of the Service, think him entitled to, either by the Payment of a gross Sum or by way of Annuity, as they shall think proper: Provided always, that a Copy of every such Award for Compensation shall be laid before both Houses of Parliament within Thirty Days from the Day on which the same shall be granted, if Parliament shall be then sitting, and if not, then within Thirty Days after the then next Sitting of Parliament; and no such Award shall be final and conclusive until Two Calendar Months after the same shall have been so laid

Compensation.

laid before Parliament : Provided also, that it shall be a Condition of every such Grant that the Compensation so granted, in the event of the Appointment thereafter of any of the said Persons to any Office of Profit or Emolument under the Crown, shall abate or wholly cease during the Period in which such Person shall hold such Office, so as that the Compensation and Emolument thereof, taken together, shall not exceed the Emoluments of the Office in respect of which the Compensation has been granted.

Interpreta-
tion of
Terms.

LIII. And be it enacted, That in construing this Act the Expression "Clerk of Session" shall include Principal Clerk of Session, Depute Clerk of Session, and Assistant Clerk of Session, both in the Inner and Outer House; the Word "Pursuer" shall include Complainer, and the Word "Defender" shall include Respondent.

Court of
Session
may make
Regula-
tions by
Acts of
Sederunt.

LIV. And be it enacted, That the Court of Session shall be and the said Court is hereby empowered, from Time to Time, from and after the passing of this Act, to make such Regulations, by Act or Acts of Sederunt, as the said Court may deem meet for carrying into effect the Purposes of this Act, and also to make Regulations substituting such Services or Notices as the Court may deem meet in lieu of Actions of Transference as at present in use, and also to make Regulations for allowing Summonses and Notes of Advococation and of Suspension, and of Suspension and Interdict, and of Suspension and Liberation, to be called at any Box Day in Vacation or Recess, and making Defences returnable at such Box Days, or on the Meeting of the Lords Ordinary, or of the Court after Vacation or Recess; and the said Court may meet for the above Purposes during Vacation as well as during Session, and may alter and amend such Regulations from Time to Time: Provided always, that within Fourteen Days from the Commencement of every future Session of Parliament there shall be transmitted to both Houses of Parliament Copies of all Acts of Sederunt made and passed under the Powers hereby given.

Com-
mence-
ment of
Act.

LV. And be it enacted, That, excepting in so far as regards the Power herein-before given to the Court of Session to pass Acts of Sederunt, this Act shall take effect from and after the First Day of *November* One thousand eight hundred and fifty: Provided always, that it shall be competent to the said Court, from and after the passing of this Act, to make any Order in any existing Cause, to take effect at and from the said First Day of *November* One thousand eight hundred and fifty.

Recited
Acts, &c.
repealed.

LVI. And be it enacted, That the said recited Acts and all Laws, Statutes, Acts of Sederunt, and Usages, shall be and the

the same are hereby repealed, in so far only as they may be in any respect inconsistent or at variance with the Provisions of this Act.

LVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

in so far
as at vari-
ance with
this Act.
Act may be
amended,
&c.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

No. 1.

FORM of an ordinary PETITORY SUMMONS.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith: To

Messengers at Arms, Our Sheriffs in that Part, conjunctly and severally, specially constituted, Greeting: Whereas it is humbly meant and shown to Us by Our Lovite A. [*insert Name and Designation*], Pursuer, against B. [*insert Name and Designation*], Defender in Terms of the Condescendence and Note of Pleas in Law hereunto annexed: Therefore the Defender ought and should be decerned and ordained, by Decree of the Lords of Our Council and Session, to make Payment to the Pursuer of the Sum of

Sterling, [*where any liquid Document of Debt is libelled on, whether Bond, Bill, or other Document, as the Case may be, set it forth here, as shortly as possible, describing it merely by its Date and the Names of the Parties by and to whom granted,*] with the legal Interest thereof from the

Day of _____ until Payment, together with the Sum of _____ Sterling, or such other Sum as Our said Lords shall modify as the Expenses of the Process to follow hereon, conform to the Laws and daily Practice of Scotland used and observed in the like Cases, as is alleged: Our Will is Herefore, &c. [*insert the Will in common Form down to the Words, "Given under our Signet at Edinburgh," inclusive.*]

[*To be signed on each Page by a Writer to the Signet, and signeted in common Form.*]

CONDESCENDENCE.

[*State articulately the Allegations in Fact which form the Ground of Action.*]

NOTE

NOTE OF PLEAS IN LAW.

[*State them articulately.*]

In respect whereof, &c.

[*To be signed on each Page by the same
Writer to the Signet who signs the above.*]

No. 2.

FORM of a SUMMONS of COUNT and RECKONING and
PAYMENT.

VICTORIA, &c. [*as before*]: Whereas, &c. [*as before*]: Therefore the Defender ought and should be decerned and ordained, by Decree of the Lords of Our Council and Session, to exhibit and produce before Our said Lords a full and particular Account of his whole Intromissions as Factor for the Pursuer, [*or otherwise, as the Case may be,*] whereby the true Balance due by him to the Pursuer may appear and be ascertained by Our said Lords: And the Defender ought and should be decerned and ordained, by Decree foresaid, to make Payment to the Pursuer of the Sum of Sterling, or of such other Sum as shall appear and be ascertained by Our said Lords to be due by the Defender as the Balance of his said Intromissions, with the legal Interest thereof from the Day of until Payment; or, in the event of the Defender failing to produce an Account as aforesaid, he ought and should be decerned and ordained, by Decree foresaid, to make Payment to the Pursuer of the Sum of Sterling, which shall in that Case be held to be the Balance of his said Intromissions, with the legal Interest thereof from the said Day of until Payment; and, whether the said Account is produced or not, the Defender ought and should be decerned and ordained, by Decree foresaid, to make Payment to the Pursuer of the Sum of Sterling, &c. [*insert Conclusion for Expenses, as before*]: Our Will is Herefore, &c. [*insert the Will in common Form, as before.*]

[*To be signed and signeted as before.*]

No. 3.

FORM of a SUMMONS of DECLARATOR of TRUST.

VICTORIA, &c. [*as before*]: Whereas, &c. [*as before*]:
Therefore

Therefore it ought and should be found and declared, by Decree of the Lords of Our Council and Session, that a Disposition, dated _____ whereby, for the Causes therein specified, the Pursuer sold, alienated, and disposed to the Defender, and his Heirs and Assignees whomsoever, heritably and irredeemably, all and whole the Lands of _____ was a Trust in the Person of the Defender, for the Use and Behoof of the Pursuer, and his Heirs or Assignees: And the Defender ought and should be decerned and ordained, by Decree foresaid, to denude of the said Lands, and to convey the same, with the Writs and Evidents thereof, to the Pursuer, and his Heirs and Assignees, with Warrandice from the Defender's own Facts and Deeds [*insert Conclusion for Expenses and Will, as before*].

[*To be signed and signeted as before.*]

No. 4.

FORM of a SUMMONS of REDUCTION.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, To

Messengers at Arms, Our Sheriffs in that Part, conjunctly and severally, specially constituted, Greeting: Our Will is, &c. [*take in Will of Summons in common Form, down to the Statement of the Reasons; then say*] for the Reasons and Causes set forth in the Condescendence and Note of Pleas hereunto annexed: Therefore, and for other Reasons to be proposed at discussing hereof, the said last Will and Testament [*or other Document sought to be reduced, as the Case may be*], with all that has followed or may follow on the same, ought and should be reduced, retreated, rescinded, cassed, annulled, decerned, and declared, by Decree of Our said Lords, to have been from the Beginning, to be now and in all Time coming, null and void, and of no Avail, Force, Strength, or Effect, in Judgment or outwith the same in Time coming, and the Pursuer reponed and restored thereagainst in integrum: And the Defender ought and should be decerned and ordained, by Decree foresaid, to make Payment to the Pursuer of the Sum of

Sterling [*insert Conclusion for Expenses, as before*], or else to allege a reasonable Cause in the contrary: With Certification to the Defender, if he fail, Our said Lords will proceed in the said Matter, and reduce, decern, and declare in manner foresaid: According to Justice, &c. [*According to usual Form, as before*].

[*To be signed and signeted as before.*]

No. 5.

FORM of a SUMMONS of MULTIPLEPOINDING.

VICTORIA, &c. [*as before*]: Whereas it is humbly meant and shown to us by Our Lovite A. [*insert Name and Designation*], Pursuer, against B. [*insert Name and Designation*], common Debtor, and C., D., and E. [*insert Names and Designations of each in order, and state who is the Real Raiser*], Creditors or pretended Creditors of the said B., all Defenders, in Terms of the Condescendence and Note of Pleas in Law hereunto annexed: Therefore it ought and should be found and declared, by Decree of the Lords of Our Council and Session, that the Pursuer is only liable in once and single Payment of the Principal Sum of _____ Sterling contained in a Bond dated _____ granted by him to the said B., his Heirs, Executors, or Assignees, and Interest thereon from the _____ Day of _____ until Payment, or until Consignation in this Process, and that to the Person or Persons who may have just Right thereto; for determining which the said several Persons, Creditors, or pretended Creditors foresaid, and the said B., common Debtor, for his Interest, and all others pretending right thereto, ought to produce their respective Grounds of Debt and Diligences thereon or other Interest in the said Sum, and dispute their Preferences thereto: And the Pursuer should be found entitled to retain the Expenses of this Process as the same shall be ascertained in the course thereof, and decerned and ordained to make Payment of what Sum shall remain in his Hands after such Retention to such of the Defenders or others as may be found to have best Right thereto: And the Defenders who shall be found to have no Right to the Sums in medio, and all others, ought and should be decerned and ordained, by Decree foresaid, to desist, and cease from further troubling the Pursuer with respect to the Premises in Time coming, conform to the Laws and daily Practice of Scotland used and observed in the like Cases, as is alleged. Our Will is Herefore, &c. [*insert the Will in common Form, as before*].

[*To be signed and signeted as before.*]

SCHEDULE (B.)

THIS Summons, [*or Note of Suspension, or Note of Suspension and Interdict, or Note of Suspension and Liberation, or Note of Advocation,*] executed [*or intimated*] by me [*insert Name*],

Name], Messenger at Arms, against [or to] [insert Name or Names], Defender [or Defenders, or Respondent or Respondents] [state whether personally or otherwise], in Presence of [insert Name and Designation of Witness], this

Day of
Years. Eighteen hundred and

[Signature of Messenger.]

C.D., Witness.

CAP. XXXVII.

An Act for the further Extension of Summary Jurisdiction in Cases of Larceny.—[29th July 1850.]
(England and Ireland.)

CAP. XXXVIII.

An Act to render valid certain Marriages solemnized in the new Church at Upton cum Chalvey in the County of Buckingham and Diocese of Oxford.—[29th July 1850.]

CAP. XXXIX.

An Act for the better Government of Convict Prisons.—
[29th July 1850.] (England.)

CAP. XL.

An Act to regulate the Disposition of the Naval Prize Balance.—[29th July 1850.]

CAP. XLI.

An Act to authorize the Division of the Parish of Manchester into several Parishes, and for the Application of the Revenues of the Collegiate and Parish Church, and for other Purposes.—[29th July 1850.]

CAP. XLII.

An Act to confirm the Incorporation of certain Boroughs, and to provide for the Payment of the Expenses of the Incorporation of new Boroughs.—[29th July 1850.] (England and Wales.)

CAP. XLIII.

CAP. XLIII.

An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of Lancaster.
—[29th July 1850.]

CAP. XLIV.

An Act for taking an Account of the Population of Ireland.—[29th July 1850.]

CAP. XLV.

An Act to continue an Act to amend the Laws relating to Loan Societies.—[29th July 1850.] (England.)

CAP. XLVI.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.—[29th July 1850.]

CAP. XLVII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.—[29th July 1850.]

CAP. XLVIII.

An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in Ireland.—[29th July 1850.]

CAP. XLIX.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.—[29th July 1850.]

CAP. L.

An Act to continue the Exemption of Inhabitants from Liability

Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.—[29th July 1850.] (England.)

CAP. LI.

An Act for the Transfer of the Equitable Jurisdiction of the Court of Exchequer to the Court of Chancery in Ireland.—[29th July 1850.]

CAP. LII.

An Act to make better Provision for the Interment of the Dead in and near the Metropolis.—[5th August 1850.]

CAP. LIII.

An Act for taking Account of the Population of Great Britain.—[5th August 1850.]

CAP. LIV.

An Act to amend the Acts relating to Labour in Factories.—[5th August 1850.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom*,^{3 & 4 W. 4. c. 103.} it was enacted, that no Person under the Age of Eighteen Years should be employed in any Mill or Factory as in the said Act mentioned, in any such Description of Work as therein specified, more than Twelve Hours in any one Day, except as therein-after provided: And whereas by an Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Labour in Factories*,^{7 & 8 Vict. c. 15.} it was enacted, that the Hours of Work of Children and young Persons in every Factory should be reckoned from the Time when any Child or young Person should first begin to work in the Morning in such Factory; and by the same Act it was enacted, that no Female above the Age of Eighteen Years should be employed in any Factory, save for the same Time and in the same Manner as young Persons might be employed in Factories: And whereas by an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to limit the Hours of Labour of young Persons and Females in Factories*,^{10 & 11 Vict. c. 29.} the Hours of Labour of young Persons and Females in Factories were further

No young Person or Female to be employed before Six in the Morning or after Six in the Afternoon, or on Saturdays after Two in the Afternoon.

Provision of 7 & 8 Vict. c. 15. requiring Notices of Times of beginning and ending Work to be hung up repealed.

Meal Times to be taken between Half past Seven in the Morning and Six in the Evening.

Young Persons or Females

further restricted as therein is mentioned: And whereas it is expedient to amend the said herein-before recited Acts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, save as herein-after mentioned, so much of the said Acts as restricts or limits the Hours of the Employment or Labour of young Persons, and of Females above the Age of Eighteen Years, shall be repealed, and after the passing of this Act no Young Person, and no Female above the Age of Eighteen Years, shall be employed in any Factory before Six of the Clock in the Morning or after Six of the Clock in the Evening of any Day (save to recover lost Time, as herein-after provided.) and no young Person, and no Female above the Age of Eighteen Years shall be employed in any Factory, either to recover lost Time or for any other purpose, on any *Saturday* after Two of the Clock in the Afternoon.

II. And be it enacted, That so much of the said secondly recited Act as requires Notice in the Form given in the Schedule (C.) to such Act of the Hours of Work of all young Persons, and Females above the Age of Eighteen Years, employed in the Factory, to be hung or fixed up in any Factory, and so much of the same Act as enacts that in any Complaint of the Employment of any Person in a Factory otherwise than is allowed by that Act the Time of beginning Work in the Morning which shall be stated in any Notice fixed up in the Factory, signed by the Occupier or his Agent, shall be taken to be the Time when all Persons in the Factory, except Children beginning to work in the Afternoon, began Work on any Day subsequent to the Date of such Notice, so long as the same continued fixed up in the Factory, shall be repealed.

III. And whereas by the said secondly recited Act it was enacted, That the Times allowed for Meal Times, as provided by the said firstly recited Act, should be taken between the Hours of Half past Seven in the Morning and Half past Seven in the Evening: Be it enacted, That the Times allowed for such Meal Times as aforesaid shall be taken between the Hours of Half past Seven in the Morning and Six in the Evening; and, subject to such Alteration as aforesaid, all the Provisions of the said firstly and secondly recited Acts concerning Meal Times and Notice of Meal Times shall remain applicable to all young Persons, and to all Females above the Age of Eighteen Years, employed in any Factory.

IV. And whereas by the said secondly recited Act it was enacted, that in any Factory in which any part of the Machinery was moved by the Power of Water the Time which should

should have been lost by Stoppages from Want of Water, or from too much Water, might be recovered within Six Months next after the Stoppage, between the Hours specified in the said firstly recited Act as those within which Time lost by Drought or Excess of Water might be recovered, and that in order to recover Time so lost any Child or young Person might be employed One Hour in each Day more than the Time to which the ordinary Labour of Children and young Persons respectively was restricted by Law, except on *Saturday*: Be it enacted, That no young Person, and no Female above the Age of Eighteen Years, shall, in order to recover Time so lost as aforesaid, be employed after Seven of the Clock in the Evening of any Day; and the Times before Six of the Clock in the Morning and after Six of the Clock in the Evening during which any such young Person or Female is so employed in any Day shall not together exceed One Hour.

V. And whereas by the said secondly recited Act it was enacted, that in any Factory in which any Part of the Machinery was moved by the Power of Water, when the Stream was so diminished by Drought or swollen by Flood during any Part of the Day that any Part of the manufacturing Machinery driven by the Water-wheel had been stopped by reason of such Drought or Flood, the young Persons who would have been employed at such Machinery might recover such lost Time during the Night next following the said Day, unless the said Day were *Saturday*; provided that no such young Person should be employed during any Twenty-four consecutive Hours for a greater Number of Hours than that to which the ordinary daily Labour of such young Persons in Factories was otherwise restricted by Law, and that no young Person so employed in the Night should work more than Five Hours without an entire Cessation from Work of at least Thirty Minutes: Be it enacted, That for the Purposes of the last-recited Enactment the Word "Night" shall include the whole Period between Six of the Clock in the Evening and Six of the Clock in the Morning; and no young Person, and no Female above the Age of Eighteen Years, shall be employed to recover such lost Time as last aforesaid during any Twenty-four consecutive Hours for more than Ten Hours and Half of another Hour; and, save as herein-before mentioned, young Persons and Females may be employed to recover lost Time according to the Provisions of the said secondly recited Act.

VI. Provided always, and be it enacted, That during all or Part of the Period between the Thirtieth Day of *September* of any Year and the First Day of *April* of the following Year, young Persons, and Females above the Age of Eighteen Years, may be employed, except on *Saturday*, between the Hours of Seven

not to be employed under 7 & 8 Vict. c. 15. in recovering lost Time after Seven in the Evening.

Time during which young Persons and Females may be employed under 7 & 8 Vict. c. 15. s. 34. in recovering lost Time.

Power to employ young Persons from Seven in the Morn-

ing to Se-
ven in the
Evening,
from 30th
Sept. to 1st
April, un-
der certain
Regula-
tions.

Seven of the Clock of the Morning and Seven of the Clock of the Evening, instead of the Hours herein-before limited, under the following Regulations and Conditions; (that is to say,) Notice signed by the Occupier of any Factory, or his Agent, of the Intention to employ young Persons and Females under this Provision, specifying the Period, not being less than One Month, during which they are to be so employed in such Factory, shall be given to One of the Inspectors of Factories, and a Notice to the like Effect, in such Form as shall be approved by such Inspector, and signed by such Occupier, or his Agent, and by such Inspector, shall be hung or fixed up, and during the Period specified in the Notice shall be kept fixed up, according to the Directions for other Notices in the said secondly recited Act, in such Factory; and during the Period specified in such Notice young Persons and Females above the Age of Eighteen Years, may be employed in such Factory after Six of the Clock and not later than Seven of the Clock in the Evening of any Day, except *Saturday*; and during the Period specified in such Notice (save to recover lost Time as herein provided) no young Person, and no Female above the Age of Eighteen Years, shall be employed in such Factory before Seven of the Clock in the Morning of any Day, except *Saturday*; and the Provisions herein-before contained shall, as to every Day, except *Saturday*, during the Period specified in such Notice, take effect as if Seven of the Clock in the Morning and Seven of the Clock in the Evening were throughout substituted for Six of the Clock in the Morning and Six of the Clock in the Evening respectively.

Repeal of
Provision
in 7 & 8
Vict. c. 15.
as to Chil-
dren above
Eleven
Years of
Age em-
ployed
solely in
winding
and throw-
ing of raw
Silk;
and in lieu
thereof
Children
above
Eleven
Years
may be
employed
as young
Persons.
Young
Persons

VII. And whereas by the said secondly recited Act it was enacted, that any Child above Eleven Years of Age, employed solely in the winding and throwing of raw Silk, and who shall have obtained the Surgical Certificate required by this Act of his having completed his Eleventh Year, may work, without any Proof of having attended a School, for any Time not exceeding Ten Hours on any Working Day, but not after Half past Four of the Clock of the Afternoon of any *Saturday*: And whereas it is expedient that so much of the said recited Act should be repealed: Be it therefore enacted, That so much of the said Act as is herein-before recited shall be and the same is hereby repealed; and in lieu thereof it shall be lawful for any Child employed solely in the winding and throwing of raw Silk, who shall have obtained the Surgical Certificate required by the said secondly recited Act of his having completed his Eleventh Year, to be employed in all respects as young Persons may be employed under this Act.

VIII. And be it enacted, That every young Person, and every Female above the Age of Eighteen Years, who shall be employed

employed in any Factory, or shall be allowed to remain in any Room where any manufacturing Process is then carried on in any Factory, during any Part of the Times which by the Notice then fixed up in such Factory in that Behalf are mentioned as the Times allowed for Meals, shall be deemed to be employed contrary to the Provisions of the said recited Acts as amended by this Act.

and Females employed during Meal Times, &c. to be held to be employed contrary to Acts.

IX. And be it enacted, That the Three herein-before recited Acts as amended by this Act, and this Act, shall be construed together as One Act, and in all respects as if the Provisions herein-before contained had been contained in the secondly herein-before recited Act: Provided nevertheless, that nothing herein contained shall apply to any Offence committed under the said recited Acts before the passing of this Act, or to any Proceedings taken under any of the said Acts, and pending at the Time of the passing of this Act.

Recited Acts and this Act to be construed as One Act.

X. And be it further enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act maybe amended, &c.

CAP. LV.

An Act to amend an Act of the last Session for amending an Act for the Regulation of Municipal Corporations in Ireland so far as relates to the Borough of Dublin.—[5th August 1850.]

CAP. LVI.

An Act to continue the Act for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Usury Laws.—[5th August 1850.]

CAP. LVII.

An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks.—[5th August 1850.]

CAP. LVIII.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads.—[5th August 1850.] (England.)

CAP. LIX.

CAP. LIX.

An Act for the better Government of Her Majesty's Australian Colonies.—[5th August 1850.]

CAP. LX.

An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees.—[5th August 1850.] (England and Ireland.)

CAP. LXI.

An Act to extend the Act for the more easy Recovery of Small Debts and Demands in England, and to amend the same.—[14th August 1850.]

CAP. LXII.

An Act to alter and extend an Act passed in the Eleventh Year of King George the Fourth for amending and consolidating the Laws relating to the pay of the Royal Navy.—[14th August 1850.]

CAP. LXIII.

An Act to provide for the Redemption of an Annuity of Ten Thousand Pounds, payable to the "Equivalent Company."—[14th August 1850.]

CAP. LXIV.

An Act to provide for more effectually maintaining, repairing, improving, and rebuilding Bridges in Cities and Boroughs.—[14th August 1850.] England and Wales.)

CAP. LXV.

CAP. LXV.

An Act for enabling Town Councils to establish Public Libraries and Museums.—[14th August 1850.]

WHEREAS it is expedient to promote the Establishment and Extension of Public Libraries, and to give greater Facilities than now exist for establishing and extending Public Museums of Art and Science, in Municipal Boroughs, for the Instruction and Recreation of the People: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in a Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for encouraging the Establishment of Museums in large Towns*, shall from and after the passing of this Act be repealed; and that it shall be lawful for the Mayor, upon the Request of the Town Council of any Municipal Borough (the Population of which, according to the last Account taken thereof by Authority of Parliament, exceeds Ten thousand Persons), to ascertain whether the Provisions of this Act shall be adopted for such Borough, in manner following; that is to say, by causing a Notice to be affixed on or near the Door of the Town Hall of the said Borough, and on or near the Door of every Church or Chapel within the said Borough, and to be inserted in some Newspaper published in such Borough, or, if there be none such, in some Newspaper published in the County in which such Borough is situate, and circulating in such Borough, specifying on what Day, not earlier than Ten Days after the affixing and Publication of such Notices, and at what Place or Places within the said Borough, the Burgesses are required to signify their Votes for or against the Adoption of this Act; which Votes shall be received on such Day, commencing at Nine of the Clock in the Forenoon and ending at Four of the Clock in the Afternoon of such Day; and the said Notice shall be to the Effect of Form No. 1. in the Schedule hereto annexed.

8 & 9 Vict.
c. 43. re-
pealed, and
this Act
may be
adopted in
any Muni-
cipal Bo-
rough.

II. And be it enacted, That the Mayor shall appoint Places and Persons for taking the said Votes, and they shall be there taken by such Persons, and such Questions may be put to each Voter, and with such Liability in case of a false Answer, as at Elections under the Act to provide for the Regulation of Municipal Corporations in *England and Wales*; and the Declaration

Mayor to
appoint
Places for
taking the
Votes.

Declaration of Vote of the Voters shall be to the Effect of Form No. 2. in the said Schedule.

Burgesses
on the
Burgess
Roll en-
titled to
vote.

III. And be it enacted, That every Burgess who shall be enrolled on the Burgess Roll for the Time being of such Borough shall be entitled to vote for or against the Adoption of this Act, and no Person who shall not be enrolled on such Burgess Roll for the Time being shall be entitled so to vote; and the Mayor, in the Presence of Two or more Members of the Town Council of such Borough, shall examine the Votes, and shall, by public Notice in manner herein-after mentioned, declare whether Two Thirds of the Votes given have been given in favour of the Adoption of the said Act; and the Adoption or Non-adoption of this Act shall be decided by such Number of Votes as aforesaid; and Notice of the Adoption of this Act by the Borough shall be forthwith given by affixing the same at or near the Door of the Town Hall of the said Borough, to the Effect of Form No. 3. in the said Schedule; and if it shall be determined in manner aforesaid that the Provisions of this Act shall be adopted for such Borough, then it shall be lawful for the Town Council to purchase or take on Rent, with or without Payment of Fine, any Lands or Buildings for the Purpose of forming Public Libraries or Museums of Art and Science, or both, and to erect, alter, and extend any Buildings for such Purpose, and to maintain and keep the same in good Repair; and that for the Purchase, building, extending, altering, and repairing such Lands and Buildings, and Payment of such Rent and Fines, and for other Purposes of this Act, and for the Payment of any Principal Money and Interest borrowed under the Authority of this Act, it shall be lawful for the Council to levy, with and as Part of the Borough Rate, or by a separate Rate to be levied in like Manner as the Borough Rate, such Sums of Money as shall be from Time to Time needed: Provided always, that the whole Amount of Rate levied for the Purposes of this Act do not in any One Year amount to more than One Halfpenny in the Pound on the annual Value of the Property in the Borough rateable to the Borough Rate.

Town
Councils to
provide
the Things
necessary
for the En-
joyment
of such
Museums
and Libra-
ries, and to
appoint
proper
Officers.

IV. And be it enacted, That out of the Monies to be raised under the Provisions of this Act, it shall be lawful for the Town Council, or for such Committees as they shall appoint for all or any such Purposes, from Time to Time to purchase and provide such Fuel, Lighting, Fixtures, Furniture, and other similar Matters, for the convenient and useful Occupation and Enjoyment of such Libraries, Museums, and Premises, and to appoint such Officers and Servants, with Salaries and Remuneration, and to make such Rules and Regulations for
the

the Safety and Use of the said Libraries and Museums, and for the Admission of Visitors and others, as to them shall seem fit; and that any such Committee may be appointed for such Times only and composed of such Persons (whether Members of the Council or not) as the Council may think fit, and may at any Time be dissolved by the said Council.

V. And be it enacted, That for the Purchase of such Lands, and the erecting, extending, altering, and repairing of such Buildings, it shall be lawful for the Council of any such Municipal Borough as aforesaid, from Time to Time, with the Approval of the Commissioners of Her Majesty's Treasury, to borrow at Interest such Sums of Money as may be required for the same, on the Security of the said yearly Amount of Borough Rate authorized by this Act.

VI. And be it enacted, That the Lands and Buildings so purchased, erected, extended, or altered as aforesaid, and also all Books, Maps, and Specimens of Art and Science which may be presented to, and all Fixtures, Furniture, and Articles of every Description which may be presented to or purchased for, any such Library or Museum, or to or for the said Council for the Purposes of such Library or Museum, or to or for any Committee appointed by them, shall be vested in and held upon trust for ever by the Mayor, Aldermen, and Burgesses of the Borough in which such Library or Museum shall be situated, and shall be managed by the Council of the Borough (or by a Committee or Committees appointed by them), and kept in fit and proper Order, for the Benefit of the Inhabitants of the Borough and others resorting thereto.

VII. And be it enacted, That Admission to such Libraries and Museums shall be free of all Charge.

VIII. And be it enacted, That if the Burgesses shall determine in the Manner aforesaid against the Adoption of this Act, it shall not be lawful within Two Years after such Determination again to take the Votes of the Burgesses of the said Borough in manner aforesaid for the Purpose of ascertaining whether the Provisions of this Act shall be adopted for such Borough.

IX. And be it enacted, That, notwithstanding the Repeal of the said Act hereby repealed, all Museums established or begun under the Provisions of the said repealed Act may be lawfully maintained, completed, and managed by the Ways and Means in this Act provided, in all respects as if such Museums had been established and begun under the Sanction and Provisions of this Act.

X. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "Public Libraries Act, 1850."

XI. And

Council, with Approval of Treasury, may borrow Money on Credit of the Borough Rates, &c.

Buildings for Museums and Libraries, and the Property therein, to be held by the Council of the Borough in trust for the Benefit of the Inhabitants.

Admission to Museums, &c. to be free.

If Burgesses determine not to adopt this Act, it shall not be again proposed for Two Years.

Museums begun or established under repealed Act to be maintained, &c.

Short Title of Act.

Act may be
amended,
&c.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE.

No. 1.

IN pursuance of the Provisions of an Act of Victoria,
Chapter for enabling Town Councils to establish Public
Libraries and Museums, the Burgesses of this Borough are
hereby required, on the Day of to signify
by a Declaration, either printed or written, or partly printed
and partly written, and to be delivered to the Mayor or his
Deputy at the Places under mentioned, their Votes for or
against the Adoption of the aforesaid Act.

(Signed) A.B., Mayor.

N.B.—The Situation, Division, and Allotments of the different Places for delivering the said Votes are as follows:
[Here insert the Place or Places at which the Burgesses are to vote, in like Manner as in Elections under the Act to provide for the Regulation of Municipal Corporations in England and Wales.]

No. 2.

I do hereby vote [for or against, as the Case may be.] the
Adoption of the Act of the Year of the Reign of
Queen Victoria, Chapter , for enabling Town Councils
to establish Public Libraries and Museums.

(Signed) A.B.

[Here insert the Name of the Street, Lane, or other Place in which the Property for which the Voter appears to be rated on the Burgess Roll is situated.]

No. 3.

Notice is hereby given, that this Borough has adopted the
Provisions of an Act of the Victoria, Chapter ,
for enabling Town Councils to establish Public Libraries and
Museums, and that the Numbers of the Majority and Minority
of Votes given for or against the Adoption of the said Act are
as follow; that is to say, Votes for the Adoption
of the said Act, and Votes against it.

Dated this

Day of

A.D.

(Signed) A.B., Mayor.

CAP. LXVI.

CAP. LXVI.

An Act to authorize the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales.—[14th August 1850.]

CAP. LXVII.

An Act to reduce the Duty of Excise on Sugar manufactured in the United Kingdom, and to impose a countervailing Duty on Sugar used in the brewing of Beer for sale ; and also to amend the Laws relating to the Licences granted to Brewers and Distillers.—[14th August 1850.]

CAP. LXVIII.

An Act to shorten the Duration of Elections in Ireland, and for establishing additional Places for taking the Pole thereat.—[14th August 1850.]

CAP. LXIX.

An Act to amend the Laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs.—[14th August 1850.]

CAP. LXX.

CAP. LXX.

An Act empowering the Canterbury Association to dispose of certain Lands in New Zealand.—[14th August 1850.]

CAP. LXXI.

An Act to continue an Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled An Act to prevent, until the First Day of September One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.—[14th August 1850.]

CAP. LXXII.

An Act to amend the Laws for the Registration of Assurances of Lands in Ireland.—[14th August 1850.]

CAP. LXXIII.

An Act to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in Ireland.—[14th August 1850.]

CAP. LXXIV.

An Act for the better Regulation of the Office of Registrar of Judgments in Ireland.—[14th August 1850.]

CAP. LXXV.

An Act to regulate the Receipt and Amount of Fees receivable by certain Officers in the Court of Common Pleas.—[14th August 1850.]

CAP. LXXVI.

CAP. LXXVI.

An Act to provide for the Division of the Deanery of Saint Burian into Three Rectories, and for Abolishing the Royal Peculiar of Saint Burian.—[14th August 1850.]

CAP. LXXVII.

An Act to enable Her Majesty to make a suitable Provision for His Royal Highness the Duke of Cambridge ; and also for Her Royal Highness the Princess Mary of Cambridge.—[14th August 1850.]

CAP. LXXVIII.

An Act to enable Her Majesty to make Provision for the Residence of His Royal Highness Albert Edward, Prince of Wales, in Marlborough House, during the joint Lives of Her Majesty and His Royal Highness.—[14th August 1850.]

CAP. LXXIX.

An Act to continue certain Turnpike Acts in Great Britain, and to make further Provisions respecting Turnpike Roads in England.—[14th August 1850.]

CAP. LXXX.

An Act to repeal Part of an Act of the Fifteenth Year of King George the Third, for the Encouragement of the Fisheries carried on from Great Britain, Ireland, and the British Dominions in Europe, and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries to the Ports thereof at the End of the Fishing Season.—[14th August 1850.]

CAP. LXXXI.

CAP. LXXXI.

An Act to explain an Act of the last Session for amending an Act for the Regulation of Municipal Corporations in Ireland, so far as relates to the Borough of Dublin.—[14th August 1850.]

CAP. LXXXII.

An Act to extend the Remedies for the Collection of Grand Jury Cess in Ireland.—[14th August 1850.]

CAP. LXXXIII.

An Act to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies, in certain Cases.—[14th August 1850.]

WHEREAS divers Joint Stock Companies have been incorporated by Act of Parliament for making Railways, and it has been found that such Railways, or certain Parts thereof, cannot be made or carried on with Advantage either to the Promoters thereof or to the Public, and it is expedient therefore that Facilities should be given for the Abandonment of such Railways or Parts of Railways, and for the Dissolution of such Companies, or some of them, and winding up the Concerns thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Company authorized by Act of Parliament heretofore passed to make a Railway desire that the making and carrying on of such Railway or some Part thereof, whether commenced or not, be abandoned, such Company may, by the Authority and with the Consent of the Holders of Three Fifths of the Shares or Stock of such Company, represented in manner herein-after mentioned at a General Meeting of Shareholders to be convened in manner herein-after mentioned, make Application in Writing to the Commissioners of Railways, setting forth the Particulars of the Railway or Portion

Railway
Company
may make
Applica-
tion to
Commis-
sioners of
Railways
to be al-
lowed to
abandon
their Un-
dertaking.

of

of the Railway desired to be abandoned by them, and the Grounds upon which such Application is made.

II. And be it enacted, That it shall be lawful for the Directors of any such Railway Company at any Time to call a Meeting of the Shareholders thereof for the Purpose of determining whether such Application shall be made to the Commissioners of Railways, and so from Time to Time as they shall see fit.

Directors may call Meeting to consider such Application.

III. And be it enacted, That it shall be lawful for any Number of Shareholders of any such Company, not being less than Five, and holding in the aggregate not less than One Twentieth of the Capital or Stock of the Company, consisting of Shares or Stock whereon all Calls for the Time being have been paid up, but exclusive of any Shares or Stock held by or in the Names of the Directors of the Company or any of them, or by or in the Name of any Person in trust for the Directors or any of them, or for the Company, and which Shareholders shall have paid all the Calls then due on the Shares held by them, by Writing under their Hands to require the Directors of such Company to call a Meeting for the Purpose aforesaid; and upon the Receipt of any such Requisition such Directors shall forthwith proceed to call a Meeting of the Shareholders of such Company on a Day to be named by them, not being less than Fourteen nor more than Twenty-eight Days after the Receipt of such Requisition: Provided always, on the Default of the Directors to call and advertise such Meeting within Fourteen Days after the Receipt of the Requisition, it shall be lawful for the Requisitionists to call such Meeting themselves, at a Time and Place to be appointed by them, of which Fourteen Days Notice shall be given by them by Advertisement as herein-after provided: Provided also, that when any Meeting of any such Company shall have been called pursuant to any such Requisition as aforesaid, the Directors of such Company shall not be required to call any further Meeting of such Company upon any further Requisition for the like Object until Twelve Months shall have elapsed since the holding of such previous Meeting.

Shareholders may require Directors to call Meeting.

IV. And be it enacted, That after any such Meeting has been called by the Directors, or after the Receipt of any such Requisition as aforesaid, it shall not be lawful for the Directors to make any Payments out of the Monies of the Company for the Purposes of the Railway proposed to be abandoned, except in discharge of *bonâ fide* Debts or Liabilities, or in performance of Contracts or Engagements previously entered into, and in payment of the Expenses of calling and holding such Meeting, nor to enter into any Contracts or Engagements on behalf of the Company with respect to the Railway, so proposed to be

After Receipt of Requisition, Directors not to make any Payments, except under existing Liabilities, nor to enter into new Con-

abandoned

tracts, nor
to make
new Calls.

Mode of
calling
Meeting,
and signi-
fying the
Consent of
the Share-
holders to
the Appli-
cation.

abandoned, nor to make any Calls, nor to register the Transfer of any Shares, until the Meeting called as aforesaid shall have determined whether such Application shall be made.

V. And be it enacted, That the calling of any such Meeting shall be by public Advertisement in the Manner required or usually adopted for advertising the Extraordinary General Meetings of such Company, and where such Meeting is called by the Directors of the Company a Circular Letter shall be sent by the Post addressed to each of the registered Shareholders of such Company, according to his registered Address or other known Address, Seven clear Days at least before the holding of such Meeting, and stating that a General Meeting of the Shareholders of such Company will be held at a Time and Place mentioned in such Circular, for the Purpose of determining whether Application shall be made to the Commissioners of Railways that such Railway or the Part thereof specified in such Notice may be abandoned, and requesting such Shareholder to signify his Assent to or Dissent therefrom, which may be according to a Form to be contained in such Circular Letter, which Form shall be to the Effect set forth in the Schedule hereto, and such Circular Letter shall request such Shareholder either to return such Form, signed by him, in a Letter addressed to the Secretary of such Company, or to attend such General Meeting as aforesaid, and deliver the same, so signed by him, to the Chairman thereof; and in the Case of every such Meeting, whether called by the Directors or by such Requisitionists as aforesaid, the Shareholders may signify their Assent to or Dissent from the proposed Application, either by attending such Meeting in Person or by Letter addressed to the Secretary of the Company, stating the Assent or Dissent of such Shareholders, in a Form which shall be to the Effect of the Form set forth in the Schedule hereto, and signed by such Shareholders respectively.

The Num-
ber of the
Share-
holders as-
senting or
dissenting
to be ascer-
tained by
Scruti-
neers, and
reported to
the Chair-
man.

VI. And be it enacted, That at the Meeting so to be called as aforesaid the Scrutineers to be appointed as herein-after mentioned shall cast up the Amount of Shares held by Shareholders assenting to the making of such Application, and the Amount of Shares held by Shareholders dissenting therefrom, whether such Assent or Dissent have been signified by the Shareholders sending to the Secretary of the Company such Form as aforesaid, signed by him, or by such Shareholder attending such Meeting, and delivering in the same to the Chairman thereof, and such Scrutineers shall report to the Chairman the Amount of Shares of the Shareholders assenting to such Application, and the Amount of the Shares of those dissenting therefrom, and the said Chairman shall thereupon publicly announce to the Meeting the said Amounts respectively, and shall

shall state whether or not the Holders of Three Fifths of the whole of such Shares represented in manner aforesaid at the Meeting consent to such Application: Provided always, that in computing the Amount of Shares of the Shareholders assenting or dissenting as aforesaid no Share shall be taken into account the Holder whereof shall not have been duly registered, or who shall not have paid all the Calls then due by him upon all the Shares held by him, unless such Calls shall have been made within Three Months prior to the holding of such Meeting, or if such Meeting be held pursuant to a Requisition of Shareholders as herein-before provided, then Three Months prior to the Day on which such Requisition was presented to the Directors.

VII. And be it enacted, That the Chairman of the Directors of such Company, if present, or in his Absence the Deputy Chairman, if any, of such Directors, shall be the Chairman of such Meeting as aforesaid, or if neither such Chairman nor Deputy Chairman of the Directors be present, any Shareholder chosen for that Purpose by a Majority of the Shareholders present at the Meeting shall be the Chairman thereof.

Chairman
of the
Meeting.

VIII. And be it enacted, That at every such Meeting the Shareholders present thereat shall elect Three Shareholders of the Company to be Scrutineers for the Purposes aforesaid, and in electing such Scrutineers each Shareholder shall have One Vote only, and shall vote for one Scrutineer only; and the Decision of such Scrutineers, or of any Two of them, upon any of the Matters hereby intrusted to them, shall be final in all respects.

Meeting to
elect Scruti-
neers.

IX. And be it enacted, That for the Purpose of receiving the Report of the said Scrutineers the Chairman of such Meeting may, if he think fit, on the Application of any One of such Scrutineers, and he shall, if required by more than One of such Scrutineers, adjourn such Meeting to some Time to be appointed by him, not less than One clear Day nor more than Seven clear Days from the Day of holding such Meeting.

Adjourn-
ment of
Meeting on
Applica-
tion of
Scruti-
neers.

X. And be it enacted, That a Certificate under the Hand of the Chairman of the Meeting, stating that such Meeting as aforesaid has been duly held, and such Consent given as aforesaid in Cases where the same is given, shall within One Week after the Day of holding such Meeting be deposited in the Office of the said Commissioners of Railways.

Certificate
of the
Chairman
to be
Evidence.

XI. Provided always, and be it enacted, That if it appear to any of the Shareholders of any such Company who shall have signed any such Requisition, or been present at any such Meeting as aforesaid at which the Proposal to apply to the said Commissioners to authorize the Abandonment of the whole or Part of a Railway shall have been negatived or

Sharehold-
ers desir-
ing Aban-
donment,
and com-
plaining
that the

alleged

Sense of the Company has not been fairly ascertained, may apply to the Commissioners.

alleged to be negatived, either that such Meeting was not duly called, or that the Sense thereof was not duly taken according to the true Intent and Meaning of this Act, and that if such Meeting had been duly called, and the Sense thereof duly taken, the Consent of such Meeting to the proposed Application would have been given, it shall be lawful for any such Shareholders, not being less in Number than Five, and holding in the aggregate not less than One Twentieth of the Capital or Stock of the Company, consisting of Shares or Stock whereon all Calls for the Time being have been paid up, and which Shareholders shall have paid all the Calls then due on the Shares held by them, to apply to the said Commissioners, setting forth in Writing the Grounds on which they complain of the Decision alleged to have been come to at such Meeting as aforesaid, and praying that a further Meeting may be called, and if it appear to the said Commissioners (after hearing the Parties complained of, if they desire to be heard.) that there is good Reason to believe that if such Meeting had been duly called, and the Sense thereof duly taken, the Consent of such Meeting to the proposed Application to the said Commissioners would have been given, the said Commissioners shall certify their Judgment to that Effect, and shall direct a further Meeting to be called by the Directors of such Company at the Time and Place to be appointed by the said Commissioners, and the said Directors shall call such Meeting accordingly, or in default thereof it shall be lawful for the Shareholders who complained to the said Commissioners of the Proceedings of the former Meeting to call such Meeting, and all the Provisions of this Act shall apply to any further Meeting so directed to be called in like Manner as to any original Meeting herein-before authorized or required to be called.

If Meeting determine that Application shall be made, Directors not to proceed meanwhile.

XII. And be it enacted, That if at any such Meeting any Railway Company shall determine, as herein-before mentioned, that such Application as aforesaid shall be made, or if the said Commissioners shall certify as aforesaid their Judgment, that if such Meeting had been duly called and the Sense thereof duly taken the Consent of such Meeting to the proposed Application to the said Commissioners would have been given, then, as from the Date of the Resolution so come to at such Meeting, or the Date of the said Certificate, as the Case may be, the Directors of such Company shall not have Power to proceed any further with the making of the Railway, or the Part thereof so proposed to be abandoned, until the Decision of the Commissioners of Railways with respect to such Application be made, and then only in accordance with such Decision.

XIII. And

XIII. And be it enacted, That if it appear to the said Commissioners that there are sufficient Grounds for entertaining such Application, the said Commissioners shall require and direct the Company making the same to give Notice of such Application having been made, by Advertisement inserted, in a Form to be approved of by the said Commissioners, once in the *London, Edinburgh, or Dublin Gazette*, according as the Railway or Part of the Railway proposed to be abandoned is situate in *England, Scotland, or Ireland*, and once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part proposed to be abandoned of such Railway is situated, and affixed for Three successive *Sundays* on the principal outer Door of the Church or Churches of every Parish in which any Part of such Railway where the whole is proposed to be abandoned, or in which any Part proposed to be abandoned, is situate, and in *Ireland* such Notice shall also be affixed to the Roman Catholic Chapel, and where there shall be no such Church or Chapel on some public or conspicuous Place of such Parish; and every such Notice shall set forth within what Time and in what Manner any Person who thinks himself aggrieved by any such proposed Abandonment, and who desires to object thereto, may bring such Objection before the Commissioners.

Commissioners of Railways to direct Advertisements of Application.

XIV. And be it enacted, That, for the Purpose of ascertaining the State and Condition of the Company making any such Application, and of inquiring into the Expediency of the proposed Abandonment of Railway, and of determining the Terms and Conditions on which the same may be authorized by them, it shall be lawful for the Commissioners of Railways, by themselves or by any Officer appointed and especially empowered by them for that Purpose, to inspect the Books of Accounts, Minutes of Proceedings, or any other Books, Papers, or Documents in the Possession or Control of such Company, and also, if they see fit so to do, to send, at the Expense of such Railway Company, or at the Expense of any Person who applies to them for that Purpose, an Officer to be appointed by them to inspect the Railway or proposed Railway or Work so proposed to be abandoned, and to collect Evidence on the Spot relative to such Abandonment; and if any such Company, or any of their Officers or Servants, shall refuse such Inspection by the said Commissioners, or any Officer appointed and specially empowered by them for that Purpose, or refuse or wilfully neglect to produce to the said Commissioners or any such Officer, on Demand, any Books, Papers, or Documents in the Possession or Control of such Company, every such Company shall for every such Refusal or Neglect forfeit

Commissioners to have Power to inspect the Company's Books and other Documents, and to send an Officer for local Inspection.

forfeit to Her Majesty the Sum of Twenty Pounds, and a further Sum of Five Pounds for every Day during which such Refusal or wilful Neglect shall be continued.

Commissioners of Railways may by Warrant authorize the Abandonment of the Railway or Part of Railway described in the Warrant.

In considering Objections of Shareholders to partial Abandonment, Commissioners to have regard to local Circumstances.

Power to reduce or cancel the Shares of the Objectors in certain Cases.

XV. And be it enacted, That upon Proof to the Satisfaction of the said Commissioners that such Notice has been duly given, and after the Expiration of the Time therein appointed for bringing Objections before the said Commissioners, and after considering all the Objections, if any, brought before them, the said Commissioners may, if they think fit, and upon such Terms and Conditions as they think fit, by Warrant under their Seal, and signed by Two or more of the said Commissioners, authorize the Abandonment of the Railway or Portion of Railway described in such Warrant.

XVI. Provided always, and be it enacted, That in considering the Objections which may be made by any of the Shareholders of any Railway Company to the Proposed Abandonment of a Part only of the Railway of such Company, and in determining the Terms and Conditions on which the said Commissioners may think fit to authorize any such partial Abandonment, the said Commissioners shall have regard to the local Situation of the Lands and Residences of the Shareholders so objecting with reference to the Portion of Railway proposed to be abandoned; and in the Case of any such Shareholders being original Subscribers to the Undertaking, and not being Solicitors, Agents, or Engineers employed in promoting the same, and whose Places of Residence or Lands are adjoining or near the Line of the Portion of Railway so proposed to be abandoned, it shall be lawful for the said Commissioners, if they think fit so to do, in any Direction which (under the Provision herein-after contained) they may give for reducing the Capital of the Company authorized to construct such Railway, to provide, at the Request of any such last-mentioned Shareholders, that the nominal Amount of the Shares held by them in such Company may be reduced to the Amount then already paid up by them respectively, or to such other Extent as the said Commissioners may think fit to order in that Behalf, or the said Commissioners may, at the like Request, direct any such Shares to be cancelled, and a Part of the Monies that may have been paid up in respect of such Shares, bearing such Proportion to the whole as the said Commissioners having regard to all the Circumstances of the Case shall think fit to determine, to be repaid to such Shareholders.

Abandonment of Railway to be advertised, and De-

XVII. And be it enacted, That within One Month after the Day on which any such Warrant as aforesaid is granted by the said Commissioners the Railway Company to which the same applies shall cause Notice thereof to be inserted in the

London,

London, Edinburgh, or Dublin Gazette, according as the Railway or Part of Railway mentioned therein is situate in *England, Scotland, or Ireland*, and once in each of Three successive Weeks in some Newspaper published or circulating in each County in which any Part of such abandoned Railway is situate, and to be affixed for Three successive *Sundays* on the principal outer Door of the Church or Churches of every Parish in which any such Part of such Railway is situate, and in *Ireland* such Notice shall also be affixed to the Roman Catholic Chapel, and where there shall be no such Church or Chapel, on some Public or conspicuous Place of such Parish; and every such Notice shall require all Persons having any Claims or Demands upon the said Company for Compensation or otherwise, by reason of the Abandonment of Railway authorized by such Warrant, to transmit the Statement of such Claims or Demands to the Secretary of such Company at the Office or usual Place of Business of the same Company, within Four Months from the Date of such Warrant.

XVIII. And be it enacted, That, upon Proof to the Satisfaction of the said Commissioners that Notice of such Warrant has been duly published in manner herein-before required, the said Commissioners shall certify the same accordingly; and such Certificate shall be received in all Courts of Justice or elsewhere as Evidence that such Notice was duly published as aforesaid.

XIX. And be it enacted, That after the granting of any such Warrant, and the Publication of such Notice thereof as aforesaid, the Company shall (subject to the Provisions herein-after contained) be released from all Liability to make, maintain, or work the Railway mentioned in such Warrant, or the Part thereof thereby authorized to be abandoned, or to purchase any of the Lands required for the making thereof, or to complete the Purchase of any such Lands for the Purchase of which Notice may have been given, or any Contract entered into, by or on Behalf of the Company, or to complete any Contract for or concerning the making, maintaining, or working of the Railway so to be abandoned, or any other Contract relating to the Railway or Part of Railway so authorized to be abandoned which by reason of such Abandonment cannot be performed: Provided always, that nothing in this Act contained shall extend to release the Company from any Liability to complete the Purchase of any Land for the Purchase of which any Contract may have been entered into by or on behalf of the Company, and which Contract may have been in part performed, or by virtue or in pursuance of which a specified Sum or Price as the Consideration for the Purchase of the Lands thereby agreed to be sold to or taken by the Company

mands on the Company for Compensation to be sent in.

Commissioners of Railways to certify the due Publication of the Notice of the Warrant.

After the granting of Warrant the Company to be released from Liability to make the Railway.

Company shall have been fixed or ascertained previously to the passing of this Act, notwithstanding the Time for the Completion of the Purchase named in such Contract shall have been subsequently extended by Agreement or Arrangement with the Company.

Compensation to be made where Contracts have been entered into or Notice given.

XX. Provided always, and be it enacted, That in every Case in which before the granting of any such Warrant any Notice hath been given or Contract entered into by or on behalf of the Company named therein for purchasing any Lands which such Company were by the Acts relating thereto empowered to purchase for the Purpose of constructing the Railway or Portion of Railway so authorized to be abandoned, and from which Contract such Company would be relieved under the Provisions herein-before contained, or where any Contract hath been entered into for or concerning the constructing, maintaining, or working of the Railway or Part of Railway so authorized to be abandoned, or any other Contract relating thereto, which by reason of such Abandonment cannot be performed, the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands, or being Parties to such Contracts as aforesaid, Compensation, to be determined by Arbitration as herein-after mentioned, for all Injury or Damage, if any, sustained by such Owners, Occupiers, and other Parties by reason of such Purchase not being completed pursuant to such Notice, or by reason of such Contract not being performed.

Compensation to adjoining Land-owners in lieu of Accommodation Works.

XXI. And be it enacted, That where any Railway or Part of a Railway so authorized to be abandoned shall have been then made or commenced, such Company shall make to the Owners and Occupiers of the Lands adjoining the Railway or Part of a Railway so commenced or made, and authorized to be abandoned, Compensation, to be determined by Arbitration as herein-after mentioned, for all such Injury or Damage, if any, as shall be sustained by such Owners or Occupiers by reason of the Omission to make Gates, Passages, Drains, Watercourses, Bridges, and such other Works, for the Accommodation of Lands adjoining the Railway, as such Company would have been required to make if such Railway had not been allowed to be abandoned.

Where Roads have been carried across abandoned Line of Railway by means of a Bridge or Tunnel,

XXII. And be it enacted, That where the Line of any Railway so authorized to be abandoned shall have been wholly or partially laid out, and any Road shall have been carried across such Line of Railway by means of a Bridge or Tunnel over or under such Railway, which Bridge or Tunnel the Company to whom such Railway belonged would, in case the same had not been abandoned, have been liable to keep in repair, then in every such Case, except where such Bridge or Tunnel shall, with

with the Permission of the said Commissioners, be by such Company removed, and such Road restored to the like or an equally convenient and good State as the same was in before it was interfered with by the Makers of such Railway, to the Satisfaction (in case of Difference between such Company and the Owner or Persons having the Management of such Road) of the Commissioners of Railways, such Company shall pay to the Owner of such Road, if it be a private Road, or to the Trustees, Surveyors of Highways, or other Persons having the Management of such Road, if it be a Turnpike or other public Road, a Sum of Money, to be determined by Arbitration as after mentioned, in lieu and discharge of their Liability to keep such Bridge or Tunnel, and also the Roadway over the same, in repair.

Company to make Compensation, in lieu of keeping Bridges, &c. in repair, except where the Road is restored to its former State.

XXIII. And be it enacted, That every Sum so to be paid as last aforesaid to such Trustees, Surveyors, or other Persons as aforesaid shall be by them forthwith paid over to the Treasurer of the County where the Bridge or Tunnel in respect of which such Sum was paid is situate, and shall be by him invested in Consolidated Bank Annuities or other Public Securities, and the Dividends or Income thereof shall, until Parliament shall otherwise provide, be applied in the Maintenance of the Bridge or Tunnel in respect whereof the same was paid, in such Manner as the Justices in Quarter Sessions having Jurisdiction where such Bridge or Tunnel is situate, shall order.

Compensation to Trustees and Overseers of public Roads how to be applied.

XXIV. And be it enacted, That every Sum so to be paid as last aforesaid in *Scotland* to such Trustees or other Persons as aforesaid shall be by them paid into Bank, and the Interest to arise thereon shall, until Parliament shall otherwise provide, be applied in the Maintenance of the Bridge or Tunnel in respect whereof the same was paid, in such Manner as the Sheriff of the County in which such Bridge or Tunnel is situate, in case of any Difficulty arising, shall direct.

Application of Monies paid.

XXV. And be it enacted, That the Amount of the Compensation so to be made in the several Cases aforesaid shall be determined, in case of Difference, by Arbitration, in the Manner provided by the Railways Clauses Consolidation Act, 1845, or the Railways Clauses Consolidation Act, *Scotland*, 1845, as the Case may require, and for that Purpose all the Clauses of the said Railways Clauses Consolidation Acts with respect to the Settlement of Disputes by Arbitration shall be deemed to be incorporated with this Act: Provided always, that no such Railway Company shall be liable to make any Compensation in respect of Damage alleged to have been sustained by reason of the Abandonment of the Railway or Part of the Railway, or the Non-completion of any Contract of such Company in any

Amount of Compensation to be settled by Arbitration, pursuant to 8 & 9 Vict. c. 20. and 8 & 9 Vict. c. 33.

Claims for Compensation to be made within Six Months of

after Publication of Warrant for Abandonment.

Company to be still liable for Damage occasioned by their Entry on Lands for taking Levels, &c. pursuant to 8 & 9 Vict. c. 18. or 8 & 9 Vict. c. 19.

Lands purchased by the Railway Company to be sold within a limited Time.

Where Part of a Railway is authorized to be abandoned, the Commissioners may require the Capital to be reduced.

of the Cases aforesaid, unless the Claim for such Compensation shall have been made within Six Months after the Publication in the Gazette of the Notice of the Warrant for such Abandonment as herein-before provided.

XXVI. Provided also, and be it enacted, That the Authority so as aforesaid given for abandoning the making of any such Railway or Part of a Railway shall not prejudice or affect the Right of the Owner or Occupier of any Lands to receive from such Company Compensation for any Damage that may have been occasioned by the Entry of such Company upon such Lands, for the Purpose of surveying and taking Levels, and of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions for that Purpose in the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act (*Scotland*), 1845, contained.

XXVII. And be it enacted, That all the Lands acquired by such Company for the Purposes of the Railway or Part of Railway so authorized to be abandoned shall be sold by such Company within the Time limited or prescribed for that Purpose in the Warrant authorizing the Abandonment of such Railway, and if no Time be therein prescribed for that Purpose, then within Two Years from the Date of such Warrant, in the Manner prescribed by the said Lands Clauses Consolidation Acts with respect to the Sale of superfluous Lands; and for that Purpose all the Clauses of the said last-mentioned Acts with respect to the Lands acquired by the Promoters of the Undertaking under the Provisions of their special Act, but which are not required for the Purposes thereof, shall be deemed to be incorporated with this Act: Provided always, that the Offer to be made by the Railway Company pursuant to the said Acts to sell such Lands to the Person entitled to the Lands from which the same were severed shall be made at a Price or Sum not greater than the Price or Sum at which such Lands were purchased by such Company.

XXVIII. And be it enacted, That when the said Commissioners of Railways, by any such Warrant as aforesaid, authorize the Abandonment of a Part only of the Railway of any Railway Company, they may, if they think fit, require that the Capital authorized to be raised by such Company in respect of such Railway shall be reduced to such Extent and in such Manner as the said Commissioners think fit, and so that such Reduction do not bear a greater Proportion to the whole Capital so authorized to be raised than the Cost of the Part of the Railway so authorized to be abandoned would have borne to the Cost of the whole Railway; and they may also, if they think fit, in like Manner reduce the Amount which
such

such Company are authorized to borrow on the Mortgage or Bond, and every such Reduction shall be expressed in the said Warrant; and in every such Case the Capital of such Company, and their Power of borrowing Money, shall be reduced and limited in conformity with the Directions for that Purpose contained in such Warrant; and such Company shall have all the same Powers for enforcing the Payment of Calls in respect of the Shares in the Capital when reduced in the Manner required by the said Commissioners, and for enforcing the Forfeiture of any such Shares in default of Payment of such Calls, as such Company would have had in respect of the original Capital of such Company if this Act had not been passed: Provided always, that nothing herein contained shall authorize the said Company to reduce or interfere with any Amount of Capital paid up or called for before the Eleventh Day of *February* One thousand eight hundred and fifty, and entitled to any preferential or guaranteed Dividend or Interest.

XXIX. And be it enacted, That after the granting of any such Warrant as aforesaid for the Abandonment of the whole Railway of any Railway Company the Powers of such Company for the Construction, Maintenance, and Management of such Railway shall cease, and such Company shall continue to exist only for the Purpose of winding up their Affairs, and they shall accordingly, subject to the Provisions herein contained with respect to the Sale of Lands acquired by such Company for the Purposes of their Railway, proceed with all convenient Speed to collect and to convert into Money all their Property and Effects, and shall in the first place pay and satisfy all their Debts and Liabilities, and after full Payment and Satisfaction thereof shall distribute the surplus Funds among the Shareholders of the Company in proportion to their Shares and Interests therein, and for the Purposes aforesaid all the Powers of such Company shall continue in full Force and Effect; and when and so soon as the same shall have been fully accomplished such Company shall be dissolved, and cease to exist.

XXX. And be it enacted, That, notwithstanding the Provision in the Joint Stock Companies Winding-up Amendment Act, 1849, excepting Railway Companies incorporated by Act of Parliament from the Application of the Joint Stock Companies Winding-up Act, 1848, the said Two several Acts shall nevertheless apply to any Railway Company incorporated by Act of Parliament in respect of which an Order may have been made by the Court of Chancery for winding up the Affairs of such Company previous to the passing of the said Joint Stock Companies Winding-up Amendment Act, 1849, and the Proceedings for winding up the same shall proceed and

After Warrant for Abandonment of the whole Railway the Powers of the Company are to cease, except for winding up.

Provisions of 11 & 12 Vict. c. 45. and 12 & 13 Vict. c. 108. to apply to Cases where Order of winding-up was made prior to passing of said Acts.

When Warrant has been granted for abandoning the whole Railway, Shareholders may petition for winding up, under the 11 & 12 Vict. c. 45., notwithstanding anything in 12 & 13 Vict. c. 108.

Court of Session, upon Petition, may sequester any Railway Company for the Abandonment of which a Warrant has been granted.

Court of Session to establish Rules for Adjustment of Claims.

2 & 3 Vict. c. 41.

In case of Petition for winding up,

and be carried on under the said Joint Stock Companies Winding-up Act, 1848, and the said Joint Stock Companies Winding-up Amendment Act, 1849, or either of them.

XXXI. And be it enacted, That where any such Warrant as aforesaid shall have been granted for the Abandonment of the whole Railway of any Railway Company in *England* or *Ireland*, any Shareholder of such Company may present a Petition under the Joint Stock Companies Winding-up Act, 1848, or any Act for the Amendment of such Act, for the winding up of the Affairs of such Company under the said Act, and for that Purpose the Railway Company whose Railway is so authorized to be abandoned shall, if the Court shall think fit so to order, (notwithstanding anything to the contrary thereof in the said Joint Stock Companies Winding-up Act, or in the Joint Stock Companies Winding-up Amendment Act, 1849,) be deemed to be a Company to which the said Act applies.

XXXII. And be it enacted, That where any such Warrant as aforesaid shall have been granted for the Abandonment of the whole Railway of any Railway Company in *Scotland*, any Shareholder of such Company may present a Petition to the Court of Session, praying the said Court to sequester such Company, and it shall thereupon be lawful for the said Court to issue a Deliverance awarding Sequestration of such Company, and to appoint a Factor, who shall take possession of and recover the Estate of such Company, and realize and manage the same, for the Purposes of this Act, and for winding up and distributing the same with due Regard to the Rights and Interests of the Creditors and Shareholders, and of all others concerned therein.

XXXIII. And be it enacted, That it shall be competent to the said Court to establish, by Acts of Sederunt to be passed by them, all such Rules and Regulations as may be necessary in relation to the summary Statement, Discussion, and Adjudication of all Claims at the Instance of Creditors, Shareholders, and other Parties against such Company, and by such Rules and Regulations to apply, as far as may be practicable and expedient, towards the Purposes of this Act, the Provisions of an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for regulating the Sequestration of the Estates of Bankrupts in Scotland*; and it shall be competent to the said Court so also to establish all such other Rules and Regulations as may be necessary for carrying fully into effect the Purposes of this Act.

XXXIV. And be it enacted, That in the event of the Affairs of any such Company being wound up under any such Petition, the Compensation herein-before directed to be given

to

to the Owners and Occupiers of Lands and others in respect of the Damage sustained by them by reason of such Abandonment in the Cases herein-before mentioned, or by reason of the Non-completion of any such Contract as aforesaid, or otherwise, shall be deemed a Demand claimed from, and when ascertained in the Manner provided by this Act a Debt due from, such Company, and the Party by whom such Compensation is claimed shall be deemed a "Creditor" in *England or Ireland*, within the Provisions of the said Joint Stock Companies Winding-up Act, or, in *Scotland*, within the Provisions of the said recited Act of the Second and Third Years of the Reign of Her present Majesty; and in case any Lands purchased by such Railway Company shall be sold by the Official Manager under the said Act, they shall be sold in the Manner and subject to the Provisions contained in this Act.

Land-owners are to be deemed Creditors in respect of the Compensation given by this Act.

XXXV. Provided always, and be it enacted, That this Act, or any Proceeding thereunder, shall not prejudice or affect any Action or Suit or other Proceeding at Law or in Equity commenced before the Eleventh Day of *February* One thousand eight hundred and fifty, or any Action or Suit brought in connexion with and during the Dependence of and involving the same Matter with such Action or Suit, nor any Action, Suit, or other Proceeding against a Company which shall not have obtained a Warrant authorizing the Abandonment of the Railway or Part of a Railway in respect of which such Action, Suit, or other Proceeding shall be instituted, unless such Company shall, within Three Days after Notice for that Purpose from the Party suing them, give such Party Notice of their Intention to apply for such Warrant, and shall obtain the same, and serve Notice thereof on such Party within Three Calendar Months thereafter, but all such Actions and Suits and other Proceedings shall be proceeded with, and Judgments recovered, and Rules, Orders, and Decrees made therein shall be enforced, as if this Act had not been passed, save only that the same, after Notice given by the Company of their Intention to abandon as aforesaid, shall be suspended for Three Calendar Months, if the Warrant be refused, or be not obtained within that Time.

Act not to affect Actions or Suits commenced before 11th Feb. 1850.

XXXVI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the Abandonment by any Company of any Railway or Portion of a Railway, or other Works, which such Company has agreed under its Corporate Seal to make and construct, according to any Agreement entered into either with any Individual or with any other Company, unless such Individual or Company shall consent in Writing to such Abandonment.

Nothing herein to authorize Abandonment of any Railway agreed to be constructed, without Consent.

XXXVII. And

Commissioners
to report
to Parliament
where Abandonment
authorized
by them.

XXXVII. And be it enacted, That in each Case in which the said Commissioners authorize the Abandonment of the whole or a Portion of a Railway, they shall, within Ten Days after issuing their Warrant for that Purpose, if Parliament be then sitting, or if not, then as soon thereafter as Parliament meets, lay before both Houses of Parliament a Copy of every such Warrant, accompanied by such Report and Observations as shall in the Judgment of such Commissioners set forth and explain the Reasons for their Award and Warrant in every such Case as aforesaid.

Interpretation
of
Terms.

XXXVIII. And be it enacted, That the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say),

Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include also the Singular Number :

Words importing the Masculine Gender shall extend to Females :

The Word " Person " shall include Body Corporate :

The Word " Lands " shall include Messuages, Tenements, and Hereditaments :

The Word " Railway " shall include all Works, Buildings, and Undertakings authorized to be constructed or carried on in connexion with the Railway or belonging thereto :

The Word " Shares " shall include Stock :

The Word " Month " shall mean Calendar Month.

Short Title.

XXXIX. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal and other Instruments and Proceedings, it shall be sufficient to use the Expression " The Abandonment of Railways Act, 1850. "

Act may
be amend-
ed, &c.

XL. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULE referred to by the foregoing Act.

(1.) Name of Railway.	(1.) Name of Shareholder.	(1.) No. and Amount of Shares or Stock held by him.	(2.) Whether assenting or dissenting.

(1.) The Secretary will insert these Particulars.

(2.) In this Column the Shareholder will write the Word "assenting" or "dissenting," as the Case may be, and sign his Name thereunder.

CAP. LXXXIV.

An Act to enable the Council of the Borough of Manchester to determine their Liability to defray the Expenses of Customs in respect of Goods warehoused in the said Borough, and to authorize the Commissioners of Her Majesty's Treasury to direct the Discontinuance of the further warehousing of Goods in such Warehouses without Payment of Duty.—[14th August 1850.]

CAP. LXXXV.

An Act to provide for holding the Assizes of certain Counties of Cities and Towns in Ireland in the As-
size

size Towns of the adjoining Counties at large, in certain Cases; and to make Provision as to Gaols in case of the Change of Assize Towns.—[14th August 1850.]

CAP. LXXXVI.

An Act for the Erection on the Earthen Mound in the City of Edinburgh of Buildings for a National Gallery, and other Purposes connected therewith, and with the Promotion of the Fine Arts in Scotland.—[14th August 1850.]

CAP. LXXXVII.

An Act for Payment of a Moiety of certain Penalties towards Police Superannuation Funds.—[14th August 1850.] (England.)

CAP. LXXXVIII.

An Act to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of Ireland for the taking of Fish.—[14th August 1850.]

CAP. LXXXIX.

An Act to regulate the Proceedings in the High Court of Chancery in Ireland.—[14th August 1850.]

CAP. XC.

An Act to confirm certain Provisional Orders of the General Board of Health, and for certain other Purposes in relation to the Public Health Act, 1848.—[14th August 1850.] (England.)

CAP. XCI.

An Act to authorize Justices of any Borough having a separate Gaol to commit Assize Prisoners to such Gaol, and to extend the Jurisdiction of Borough Justices to all Offences and Matters arising within the Borough for which they act.—[14th August 1850.]

CAP. XCII.

CAP. XCII.

An Act for the more effectual Prevention of Cruelty to Animals in Scotland.—[14th August 1850.]

WHEREAS it is expedient to prevent wanton Cruelty in the Treatment of Horses, Cattle, and other domestic Animals, in *Scotland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Person who shall from and after the passing of this Act cruelly beat, ill-treat, over-drive, abuse, or torture, or cause or procure to be cruelly beaten, ill-treated, over-driven, abused, or tortured, any Animal, shall be guilty of an Offence, and shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty for ill-treating, over-driving, &c. Animals.

II. And be it enacted, That every Person who shall keep or use or act in the Management of any Place for the Purpose of fighting or baiting any Bull, Bear, Badger, Dog, Cock, or other Kind of Animal, whether of domestic or wild Nature, or shall permit or suffer any Place to be so used, shall be guilty of an Offence, and every such Offender shall be liable to a Penalty not exceeding Five Pounds for every Day he shall so keep or use or act in the Management of any such Place, or permit or suffer any Place to be used as aforesaid: Provided always, that every Person who shall receive Money for the Admission of any other Person to any Place kept or used for any of the Purposes aforesaid shall be deemed to be the Keeper thereof; and every Person who shall in any Manner encourage, aid, or assist at the fighting or baiting of any Bull, Bear, Badger, Dog, Cock, or other Animal as aforesaid, shall be guilty of an Offence, and be liable for every such Offence to a Penalty not exceeding Five Pounds.

Penalty on Persons keeping Places for Bull-baiting, Dog-fighting, &c.

III. And be it enacted, That no Person shall keep or use any House or Place for the Purpose of slaughtering or killing any Horse or other Animal (which shall not be intended for Butchers Meat) without first taking out a Licence for that Purpose, which Licence every Sheriff within his own County is hereby authorized to grant, upon being satisfied that the Person applying for such Licence is a proper Person for keeping such House or Place, and upon Payment of a Sum not exceeding Five Shillings to the Sheriff Clerk for making out and recording such Licence; and a Copy of such Licence shall be recorded in the Sheriff Clerk's Books; and any Person shall at all reasonable Hours be entitled to inspect such Books, and to make any Extract relating to such Licence therefrom, upon

Keepers of Slaughter-houses for killing Horses to be licensed.

Persons licensed to affix over Door, &c. a Board with the Words "Licensed for slaughtering Horses."

Description of Cattle received for slaughtering to be entered in a Book.

Penalty for Neglect.

Persons licensed to slaughter Horses not to be licensed as Horse Dealers at same Time. Apprehension of Offender.

Time of preferring

upon Payment to the Sheriff Clerk of Sixpence for such Inspection and Extract; and every Person so licensed shall cause to be painted in large legible Characters on a Board to be affixed over the Gate or Door of such House or Place his or her Name, with the Words "Licensed for slaughtering Horses, pursuant to an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the Reign of Her Majesty Queen *Victoria*," and any Person failing so to do shall be guilty of an Offence, and shall be liable to a Penalty not exceeding Five Pounds for such Offence, and a farther Penalty of Five Pounds for every Day during which such Board shall not be so affixed.

IV. And be it enacted, That every Person keeping or using or having the Management of any Place for slaughtering Horses or other Cattle (not intended for Butchers Meat) shall, at the Time of receiving any Horse or other Cattle in such Place, enter in a Book such a full and correct Description of the Colour, Marks, and Gender of such Horse or other Cattle as may clearly distinguish and identify the same; and if any such Person shall refuse or neglect to make such Entry in a clear and distinct Manner, or shall refuse or neglect to produce such Book before any Magistrate, whenever required by such Magistrate so to do, or shall refuse to allow such Book to be inspected, and Extracts to be made therefrom, at all reasonable Times, by any Constable or other Person duly authorized by such Magistrate, every such Person shall be guilty of an Offence, and be liable to a Penalty for every such Offence not exceeding Forty Shillings.

V. And be it enacted, That it shall not be lawful for any Person who shall be licensed to slaughter Horses during the Time such Licence shall be in force to be licensed as a Horse Dealer, or exercise or use the Trade or Business of a Dealer in Horses; and if any Person licensed to slaughter Horses shall while such Licence shall be in force obtain a Licence as a Horse Dealer, every such last-mentioned Licence shall be void.

VI. And be it enacted, That when and so often as any of the Offences against the Provisions of this Act shall be committed, it shall and may be lawful for any Constable, upon his own View thereof, or upon the Complaint and Information of any other Person who shall declare his or her Name and Place of Abode to the said Constable, to seize and secure, by the Authority of this Act, any Offender, and forthwith, without any other Authority or Warrant, to convey such Offender before a Magistrate, to be dealt with for such Offence according to Law.

VII. And be it enacted, That every Complaint under the Provisions of this Act shall be made within One Calendar Month

Month after the Cause of such Complaint shall arise ; and where such Complaint shall be made to the Sheriff it shall be competent to such Sheriff to proceed in and to try and to dispose of the same in the same Way and Manner, or as nearly as may be in the same Way and Manner, as any summary Criminal Case may be proceeded in, tried, and disposed of by any Sheriff in *Scotland* ; and where such Complaint shall be made to a Justice of the Peace or other Magistrate, it shall be competent to such Justice or Magistrate to proceed in and to try and to dispose of the same in the same Way and Manner or as nearly as may be in the same Way and Manner, as Justices of the Peace or other Magistrates in *Scotland* may proceed in, try, and dispose of summarily any Offence against Police, or any Breach of the Peace.

Complaint,
and before
whom and
how to be
disposed of.

VIII. And be it enacted, That in every Case of a Conviction under this Act, where the Sum imposed as a Penalty, together with Costs (if any) awarded, by any Magistrate, for or in respect of any Offence against the Provisions of this Act, shall not be paid immediately upon the Conviction, or within such Time as the convicting Magistrate shall in the Exercise of his Discretion appoint and limit, it shall be lawful for such Magistrate and he is hereby required to adjudge the Offender to be imprisoned for any Time not exceeding Two Calendar Months, unless Payment be sooner made : Provided always, that it shall be lawful for such Magistrate, if he shall think fit, instead of imposing a pecuniary Penalty, forthwith to adjudge any such Offender to be imprisoned for any Time not exceeding Three Calendar Months.

Magis-
trate em-
powered to
adjudge
Offender to
be impri-
soned or
fined.

IX. And be it enacted, That whenever any Person having charge of any Vehicle or any Animal shall be taken into Custody by any Constable for any Offence against the Provisions of this Act, it shall be lawful for such Constable to take charge of such Vehicle or Animal, and deposit the same in some Place of safe Custody, as a Security for Payment of any Penalty to which the Person having had Charge thereof, or the Owner thereof, may become liable, and for Payment of any Expenses which may have been or may be necessarily incurred for taking charge of and keeping the same ; and it shall be lawful for any Magistrate before whom the Case shall have been heard to order such Vehicle or such Animal to be sold, for the Purpose of satisfying such Penalty and reasonable Expenses, in default of Payment thereof.

Vehicles
may be
detained.

X. And be it enacted, That no Action shall be brought against any Magistrate or other Person for anything done in pursuance or under the Authority of this Act, unless such Action shall be commenced within Two Calendar Months next after the Fact committed, and no Action shall be commenced until

As to
Actions.

until One Calendar Month at least after a Notice in Writing of such intended Action shall have been delivered to the Defender, or left for him at his usual Place of Abode, by the Party intending to commence such Action, or by his Agent, in which Notice the Cause of Action shall be clearly and explicitly stated, and upon the Back thereof shall be endorsed the Name and Place of Abode of the Parties so intending to sue, and also the Name and Place of Abode or of Business of such Agent, if such Notice shall have been served by such Agent.

Construc-
tion of
Terms.

XI. And be it enacted, That the following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the subject or Context repugnant to such Construction; (that is to say,)

The Word "Magistrate" shall be taken to mean a Sheriff or Justice of the Peace or other Magistrate for the County, City, Burgh, Stewartry, or other Jurisdiction in which any Offence against this Act shall be committed, or in which the Matter requiring the Cognizance of such Sheriff, Justice of the Peace, or Magistrate shall arise:

The Word "Animal" shall be taken to mean any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Hog, Pig, Sow, Goat, Dog, Cat, or any other domestic Animal:

The Word "Constable" shall be taken to mean any Sheriff Officer, Police Officer, Special Constable, Justice of Peace Constable, or any Person belonging to any Constabulary Force in any Part of the United Kingdom:

Words denoting the Singular Number shall include the Plural Number, and Words denoting the Masculine Gender shall include Persons and Animals of the Feminine Gender:

The Word "over-drive" shall also signify "over-ride."

Nothing in
this Enact-
ment to
interfere
with Pro-
secutions
at Common
Law.

XII. And be it enacted, That nothing contained herein shall prevent any Act which may be an Offence under this Act, but which could have been prosecuted and punished as an Offence at Common Law, or under any Act, if this Act had not passed, from being so prosecuted and punished as if this Act had not passed.

Act may be
amended,
&c.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. XCIII.

*An Act for improving the Condition of Masters, Mates,
and*

and Seamen, and maintaining Discipline, in the Merchant Service.—[14th August 1850.]

CAP. XCIV.

An Act to amend the Acts relating to the Ecclesiastical Commissioners for England.—[14th August 1850.]

CAP. XCV.

An Act to amend the Laws relating to the Customs.—[14th August 1850.]

CAP. XCVI.

An Act to continue and amend the Acts for authorizing a Composition for Assessed Taxes.—[14th August 1850.]

CAP. XCVII.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties.—[14th August 1850.]

WHEREAS by an Act passed in the Fifty-fifth Year of the Reign of King George the Third, intituled *An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies, and Successions to Personal Estate upon Intestacies, now payable in Great Britain, and for granting other Duties in lieu thereof*, certain Stamp Duties specified and contained in a Schedule to the said Act annexed were granted and made payable in and throughout Great Britain, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule: And whereas by an Act passed in the Third Year of the Reign of King George the Fourth, intituled *An Act to reduce the Stamp Duties on Reconveyances of Mortgages and in certain other Cases, and to amend an Act of the last Session of Parliament for removing Doubts as to the Amount of certain Stamp Duties in Great Britain and Ireland respectively*, certain Stamp Duties therein mentioned or referred to were repealed, and in lieu thereof certain other Stamp Duties in the said last-recited Act specified were granted and made payable in and throughout Great Britain and Ireland respectively: And whereas by an Act passed in the Sixth Year of

55 G. 3. c.
184.

3 G. 4. c.
117.

5 & 6 Vict. c. 82. of the Reign of Her present Majesty, intituled *An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same until the Tenth Day of October One thousand eight hundred and forty-five*, certain of the said Stamp Duties granted by the said first-recited Act were extended to and made payable in *Ireland*; and under and by virtue of the said Three several Acts, and also of Two other Acts passed respectively in the Eighth and Eleventh Years of Her Majesty's Reign, for continuing the said last-recited Act, the said Stamp Duties are now payable in *Great Britain and Ireland* respectively: And whereas it is expedient to repeal certain of the said Stamp Duties, so far as the same relate to the several Instruments, Matters, and Things mentioned and described in the Schedule to this Act annexed, and to substitute in lieu thereof other Rates of Duties for and in respect of the same Instruments, Matters, and Things: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and fifty the several Stamp Duties now payable in *Great Britain and Ireland* respectively, under or by virtue of the said several Acts hereinbefore recited or referred to, or any of the said Acts respectively, or any other Act or Acts, for or in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule to this Act annexed, and whereon other Duties are by this Act granted and imposed, shall respectively cease and determine, and shall be and the same are hereby repealed, and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain and Ireland*, unto and for the Use of Her Majesty, Her Heirs and Successors, for and in respect of the said several Instruments, Matters, and Things, or for or in respect of the Vellum, Parchment, or Paper upon which the same respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said last-mentioned Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Duties now payable in relation to any Deed or Instrument which shall have been signed or executed

by

Stamp
Duties on
Instru-
ments spe-
cified in
the an-
nexed
Schedule
repealed,
and other
Duties
granted in
lieu there-
of.

by any Party thereto, or which shall bear Date before or upon the said Tenth Day of *October* One thousand eight hundred and fifty.

II. And be it enacted, That the said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and that all Powers, Provisions, Clauses, Regulations, Directions, and Exemptions, Fines, Forfeitures, Pains, and Penalties, contained in or imposed by the said recited Act of the Fifty-fifth Year of the Reign of King *George* the Third and the Schedule thereto annexed, and in or by any other Act or Acts, relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of and not repealed by this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things, charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted, and the said Schedule annexed to the said Act of the Fifty-fifth Year of the Reign of King *George* the Third and the said Schedule to this Act annexed shall be read and construed as One Schedule and as One Act.

III. Provided always, and be it enacted, That nothing in this Act or in the Schedule hereto annexed contained shall extend or be deemed or construed to extend to charge with Stamp Duty any Deed or Instrument which by any Act or Acts now in force is expressly exempted from all Stamp Duty; or to subject or charge any Transfer or Assignment of any Share in the Stock and Funds of the Governor and Company of the Bank of *England*, or of the *South Sea* Company, or of the *East India* Company respectively, to or with any higher or other Stamp Duty than such Transfers and Assignments are respectively subject and liable to under any Act or Acts now in force.

IV. And be it enacted, That the Duties imposed by the said

Duties granted to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force and be put in execution with regard to the Duties hereby granted.

Duties not to be charged on Deeds or Instruments expressly exempted from Stamp Duty by existing Acts.

Duties imposed

by 5 & 6
Vict. c.
82, and
9 & 10
Vict. c.
112, on
certain
Leases in
Ireland
repealed.

said Act of the Sixth Year of Her Majesty's Reign upon any Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument for setting or demising Lands, Tenements, or Hereditaments in *Ireland*, in the Manner in the said Act mentioned, and also the Duty imposed by an Act passed in the Tenth Year of Her Majesty's Reign, intituled *An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland*, on any Lease in the said last-mentioned Act described, shall, so far as the same respectively relate to any such Lease, Release, or Deed, Minute or Memorandum, Article or Instrument as aforesaid which shall bear Date after the said Tenth Day of *October* One thousand eight hundred and fifty, be and the same are hereby repealed; and every such Lease, Release, or Deed, Minute, Memorandum, or legal or equitable Article or Instrument last mentioned shall be and become subject and liable to and chargeable with the Duties imposed by this Act and the said Act of the Fifty-fifth Year of the Reign of King *George* the Third respectively, on Deeds and Instruments of the like Kind or Description.

For re-
moving
Doubts as
to the
Stamp
Duties on
certain
Agree-
ments for
setting or
demising
Lands in
Ireland.

V. And whereas by an Act passed in the Seventh Year of Her Majesty's Reign the Stamp Duty on an Agreement or Minute, or Memorandum of an Agreement, under Hand only, and in the said last-mentioned Act more particularly described, was reduced to the Sum of Two Shillings and Sixpence: And whereas Doubts have arisen as to whether the said reduced Duty extends to Agreements or other Instruments under Hand only for setting or demising Lands, Tenements, or Hereditaments in *Ireland* at a yearly Rent not exceeding Fifty Pounds; and it is expedient to remove such Doubts: Be it therefore declared and enacted, that no Agreement or Minute, Memorandum, or legal or equitable Article or Instrument, under Hand only, made or to be made at any Time since the Sixth Day of *June* One thousand eight hundred and forty-four, and before or upon the Tenth Day of *October* One thousand eight hundred and fifty, for setting or demising Lands, Tenements, or Hereditaments in *Ireland* at any yearly Rent not exceeding Fifty Pounds, shall be held or deemed to be or to have been subject or liable to any higher Amount of Stamp Duty than the said reduced Duty of Two Shillings and Sixpence payable on an Agreement or Minute, or Memorandum of an Agreement, under Hand only, by virtue of the said Act of the Seventh Year of Her Majesty's Reign.

Preamble.

VI. And whereas under or by virtue of the said several Acts herein-before recited, or some of them, certain Stamp Duties are now payable for or in respect of any Bargain and Sale,

Sale, or Lease for a Year, for vesting the Possession of Lands or other Hereditaments, and enabling the Bargainee to take a Release of the Freehold or Inheritance: And whereas by an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for rendering a Release as effectual for the Conveyance of Freehold Estates as a Lease and Release by the same Parties*, it is provided, that every Deed or Instrument taking effect under the said last-mentioned Act in the Manner therein mentioned shall be chargeable with the same Amount of Stamp Duty as any Bargain and Sale or Lease for a Year would have been chargeable with (*except Progressive Duty*) if executed to give Effect to such Deed or Instrument, in addition to the Stamp Duties which such Deed or Instrument shall be chargeable with as a Release or otherwise under any Act or Acts relating to Stamp Duties: And whereas by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to amend the Law of Real Property*, it is enacted, that every Deed which by force only of the said last-mentioned Act shall be effectual as a Grant shall be chargeable with the Stamp Duty with which the same Deed would have been chargeable in case the same had been a Release founded on a Lease or Bargain and Sale for a Year, and also with the same Stamp Duty (*exclusive of Progressive Duty*) with which such Lease or Bargain and Sale for a Year would have been chargeable: And whereas it is expedient to repeal the said Stamp Duties now payable for or in respect of any such Bargain and Sale or Lease for a Year as aforesaid, and also to repeal so much of the said Two several Acts last-mentioned as imposes upon any Deed or Instrument the said additional Stamp Duty as for a Bargain and Sale or Lease for a Year: Be it therefore enacted, that the said Duties now payable for or in respect of any such Bargain and Sale or Lease for a Year as aforesaid, and also so much of the said Two several last-mentioned Acts as is herein-before recited, shall, so far as the same respectively relate to any Deed or Instrument which shall bear Date after the said Tenth Day of *October* One thousand eight hundred and fifty, be and the same are hereby repealed.

4 & 5 Vict.
c. 21.

8 & 9 Vict.
c. 106.

Stamp
Duties on
a Bargain
and Sale,
and so
much of
said Two
Acts as is
recited
repealed.

VII. And whereas by the said recited Act of the Fifty-fifth Year of the Reign of King *George* the Third, and the Schedule thereto annexed, it is provided, that where any Freehold Lands or Hereditaments shall be conveyed by a Deed of Feoffment or by a Deed of Bargain and Sale enrolled, such Deed of Feoffment or Bargain and Sale, unless accompanied with a Lease and Release shall be charged with such further Duty as in the said last-mentioned Schedule is specified and contained

Preamble.

Additional
Duty on a
Convey-
ance by
Feoffment
or Bargain
and Sale
enrolled,
repealed.

All Per-
sons receiv-
ing Monies
for Stamp
Duties, and
misappropri-
ating the same,
to be liable
for the
Amount,
and the
Court of
Exchequer
to enforce
Payment
thereof.

contained in that Behalf: Be it enacted, That so much of the said last-mentioned Act and of the said Schedule as charges such Deed of Feoffment or Bargain and Sale with any such further Duty shall, as to any such Deed as aforesaid which shall bear Date at any Time after the Tenth Day of *October* One thousand eight hundred and fifty, be and the same is hereby repealed.

VIII. And be it enacted, That if any Person shall have received or gotten into his Hands, or shall receive or get into his Hands, any Sum or Sums of Money as and for the Stamp Duty upon or in respect of any Deed, Instrument, or Transaction, or intended Deed, Instrument, or Transaction, or the Duty upon or in respect of any Legacy or Residue, and shall improperly neglect or omit to appropriate such Sum or Sums of Money to the due Payment of such Duty, or shall otherwise by or under any Means or Pretence whatsoever improperly withhold or detain the same, every such Person shall be accountable for the Amount of such Duty or Sum or Sums of Money, and the same shall be a Debt from such Person to Her Majesty, Her Heirs and Successors, and recoverable as such accordingly; and it shall be lawful for the Barons of Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland* respectively, upon Application to be made for that Purpose on behalf of the Commissioners of Inland Revenue, upon such Affidavit as to such Court may appear sufficient, to grant a Rule requiring such Person, or his Executor or Administrator, to show cause why he should not deliver to the said Commissioners an Account upon Oath of all such Duties and Sums of Money as aforesaid, and why the same should not be forthwith paid to the Receiver General of Inland Revenue, or to such Person as the said Commissioners shall appoint or authorize to receive the same; and it shall be lawful for such Court to refer the taking or auditing of any such Account to the proper Officer of such Court, who shall examine any such Person as a Debtor or alleged Debtor to the Crown, on personal Interrogatories, if such Court shall think proper so to do; and it shall be lawful for such Court to make absolute any such Rule as aforesaid in every Case in which the same may appear to such Court to be proper and necessary, and to enforce by Attachment or otherwise the Payment of any such Duties or Sums of Money as on such Proceedings shall appear to such Court to be due, together with the Costs of all such Proceedings.

For remov-
ing Doubts
as to the
Duties
upon

IX. And whereas Doubts have arisen as to certain Stamp Duties in *Great Britain* and *Ireland* respectively payable under the said Act of the Fifty-fifth Year of the Reign of King *George* the Third, the said Act of the Third Year of the Reign
of

of King *George* the Fourth, and the several Acts respectively therein recited or mentioned, and the said Act of the Sixth Year of the Reign of Her present Majesty, or under some or One of the said several Acts respectively, upon or in respect of certain Deeds or Instruments herein-after mentioned, and it is proper that such Doubts should be removed: Be it therefore enacted and declared, That any Transfer or Assignment, Disposition or Assignment, already made, or which on or before the Tenth Day of *October* One thousand eight hundred and fifty may be made, of any Mortgage or Wadset or of any other Security in the said Acts or any of them mentioned, or of the Benefit thereof, or of the Money or Stock thereby secured, shall not, by reason of its containing, either by the Mortgagor or by any Person entitled to the Property mortgaged by Descent, Devise, or Bequest from such Mortgagor, any further or additional Security for the Payment or Transfer or Re-transfer of such Money or Stock, or any Interest or Dividends thereon, or any new Covenant, Proviso, Power, Stipulation, or Agreement, or other Matter whatever, in relation to such Money or Stock, or the Interest or Dividends thereon, or by reason of its containing all or any of such Matters, be or be deemed to be liable to any further or other Duty (*except Progressive Duty*) than the Duty herein-after mentioned; (that is to say,) where no further Money or Stock has been or shall be added to the Principal Money or Stock already secured, a Stamp Duty of One Pound Fifteen Shillings, and where any further Sum of Money or Stock has been or shall be added to the Principal Money or Stock already secured, the same Stamp Duty only as on a Mortgage or Wadset for such further Sum or Stock; and that any Deed or Instrument, either by the Mortgagor or by any Person entitled as aforesaid, already made or which may be made as aforesaid, operating or intended to operate as a further Charge or as a Security for any further or additional Money or Stock advanced upon any Property already comprised in any Mortgage or other Security, shall not by reason of its containing all or any of the Matters aforesaid, in relation to the Money or Stock previously secured, or the Interest or Dividends thereon, be deemed to be liable to any further or other Stamp Duty than the Duty chargeable on an original Mortgage for the further or additional Money or Stock in and by such Deed of further Charge or Security charged or secured, or intended so to be.

X. And whereas numerous Leases have been from Time to Time granted upon or after Sales made in consideration of Money paid to some other Person or Persons than the Lessor, without stamping such Leases with any *ad valorem* Stamp in respect

Transfers
of Mort-
gages.

For afford-
ing Relief
in certain
Cases of
Leases.

respect of such pecuniary Consideration, the Parties to such Leases conceiving that the Provisions of the several Acts now in force requiring the Consideration to be set out, and imposing an *ad valorem* Duty thereon, did not apply to any other Consideration than that passing between the Lessor and Lessee; but inasmuch as Doubts have arisen on the Subject, it is reasonable that such Relief as is herein-after mentioned should be afforded in such Cases: Be it therefore enacted and declared, that no Lease made and executed before the Twentieth Day of *March* One thousand eight hundred and fifty shall be adjudged, deemed, or taken to be improperly stamped by reason of there not being an *ad valorem* Stamp impressed thereon for or in respect of any pecuniary Consideration which may have been paid or may be therein expressed to be paid by the Lessee to any other Person or Persons than the Lessor, and that the Seller and the Lessee respectively in any such Lease, and any Attorney, Solicitor, Writer to the Signet, or other Person employed in or about the Preparation or Completion of the same, shall be exempted from all Penalties and other Liabilities for or by reason of any Default in setting forth any such pecuniary Consideration as aforesaid.

For removing Doubts regarding Progressive Duties.

XI. And whereas, by the several Acts now in force relating to the Stamp Duties as well as by this Act, certain Stamp Duties called Progressive Duties are imposed upon Deeds and Instruments in respect of certain Quantities of Words contained therein, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto: And whereas Doubts are entertained whether such Progressive Duties are chargeable on any Deed or Instrument in respect of the Words contained in any other Deed or Instrument liable to Stamp Duty and duly stamped which may be put or endorsed upon, or annexed to, or referred to in or by such first-mentioned Deed or Instrument, and it is expedient to remove such Doubts: Be it therefore declared and enacted, That the said Progressive Duties shall not be deemed or held to be or to have been imposed or chargeable upon any Deed or Instrument in respect of the Words or any Quantity of the Words contained in any other Deed or Instrument liable to Stamp Duty and duly stamped which may be or may have been put or endorsed upon or annexed to such first-mentioned Deed or Instrument, or which may be or may have been in any Manner incorporated with or referred to in or by the same.

Progressive Duties not to be charged on Deeds or Instruments in respect of other Deeds or Instruments duly stamped and referred to therein.

Terms and Conditions on which Deeds, &c. may be

XII. And whereas, for securing the due Payment of the Stamp Duties imposed by Law on Deeds and other Instruments, it is expedient to alter the Terms and Conditions on which any such Deed or Instrument may be stamped after the Execution

Execution or signing thereof: Be it therefore enacted, That where any Deed or Instrument liable by Law to any Stamp Duty shall be written on Vellum, Parchment, or Paper, and shall be signed or executed by any Person before such Vellum, Parchment, or Paper shall be duly stamped for denoting the Payment of the said Duty, then and in every such Case there shall be due, answered, and paid to Her Majesty, Her Heirs and Successors, the whole or (as the Case may be) the Deficiency of the Stamp Duty payable upon or in respect of such Deed or Instrument, and there shall also be paid and payable, over and above the said Duty or Deficiency of Duty, by way of Penalty, and in lieu of any former Penalty imposed or made payable by Law in the like Case, the Sum of Ten Pounds; and where the whole Amount of the Duty or Deficiency of Duty, as the Case may be, to be denoted by the Stamp or Stamps required to be impressed on such Deed or Instrument when the same shall be brought to be stamped shall exceed the Sum of Ten Pounds, there shall be paid by way of Penalty, in addition to the said Sum of Ten Pounds, Interest on the said Duty or Deficiency of Duty computed at the Rate of Five Pounds *per Centum per Annum* from the Date or first signing or Execution of such Deed or Instrument; provided, that if such Interest shall exceed in Amount the said Duty or Deficiency of Duty, then there shall be paid by way of Penalty, in addition to the said Duty or Deficiency of Duty, and the said Sum of Ten Pounds, and in lieu of the said Interest, a Sum equal to the Amount of the said Duty or Deficiency of Duty; and the Commissioners of Inland Revenue are hereby required, upon Payment of the said Duty or Deficiency of Duty, and of the said Sum or Sums herein-before directed to be paid by way of Penalty, to cause such Deed or Instrument to be duly stamped with a Stamp or Stamps for denoting the Payment of such Duty or Deficiency, and also with a Stamp for denoting the Payment of a Penalty, in lieu of the Receipt heretofore required by any Act to be written or given for such Penalty; and no such Deed or Instrument shall be pleaded or given in Evidence, or admitted to be good, useful, or available in Law or Equity, until the same shall be duly stamped in manner aforesaid: Provided always, that where it shall appear to the Commissioners of Inland Revenue, upon Oath or otherwise, to their Satisfaction, that any Deed or Instrument hath not been duly stamped previously to being signed or executed, by reason of Accident, Mistake, Inadvertency, or urgent Necessity, and without any wilful Design or Intention to defraud Her Majesty, Her Heirs or Successors, of the Duty chargeable in respect thereof, or to evade or delay the Payment of such Duty, then and in any such Case, if such

stamped
after the
signing
thereof.

Commis-
sioners of
Inland Re-
venue au-
thorized to
remit the
Penalty on
stamping
Deeds, &c.
within
Twelve
Months
after the
signing
thereof.

Deed

Not to extend to Instruments for the stamping of which after the signing thereof special Provision is made, or to Cases where the stamping is by Law prohibited. Commissioners may stamp Instruments executed abroad, without any Penalty, on their being brought for that Purpose within Two Months after their Arrival in the United Kingdom. For removing Doubts as to the Sufficiency of Stamp Duty paid on Deeds.

Deed or Instrument shall within Twelve Calendar Months after the first signing or executing of the same by any Person be brought to the said Commissioners in order to be stamped, and the Stamp Duty chargeable thereon by Law shall be paid, it shall be lawful for the said Commissioners, if they shall think fit, to remit the whole or any Part of the Penalty payable on stamping such Deed or Instrument, and to cause such Deed or Instrument to be duly stamped, upon Payment of the whole, or, as the Case may be, the Deficiency of the Stamp Duty chargeable thereon by Law, and either with or without any Portion of the said Penalty: and thereupon every such Deed or Instrument shall be as valid and available in the Law as it would have been if it had been duly stamped before the signing or executing of the same: Provided also, that nothing herein contained shall extend or be deemed or construed to extend to any Deed or Instrument for the stamping of which after the signing or Execution thereof Provision is specially made by any Law now in force, or to any Deed or Instrument the stamping of which after the signing or Execution thereof is expressly prohibited or restricted by any such Law as aforesaid, or to repeal, alter, or affect any such Provision, Prohibition, or Restriction.

XIII. Provided always, and be it enacted, That it shall be lawful for the Commissioners of Inland Revenue to order and direct that any Deed or Instrument which shall have been or shall or may be signed or executed by any Party thereto at any Place out of the United Kingdom may be duly stamped, upon Payment of the proper Stamp Duty payable thereon, and without Payment of any additional Duty or Penalty, provided such Deed or Instrument shall be brought to the said Commissioners to be stamped as aforesaid within the Space of Two Calendar Months from the Time when the same shall have been received in the United Kingdom, and provided Proof shall be first made to the Satisfaction of the said Commissioners of the Facts aforesaid.

XIV. And whereas Doubts frequently arise as to the Stamp Duties with which some Deeds or Instruments are chargeable, and it is expedient that Provision should be made whereby such Doubts may be removed: Be it therefore enacted, That when any Deed or Instrument liable to Stamp Duty, whether previously stamped or otherwise, shall be presented to the Commissioners of Inland Revenue at their Office, and the Party presenting the same shall desire to have the Opinion of the said Commissioners as to the Stamp Duty with which such Deed or Instrument in their Judgment is chargeable, and shall tender and pay to the said Commissioners a Fee of Ten Shillings (which shall be accounted for and paid over as Part of Her Majesty's

Majesty's Revenue arising from Stamp Duties), it shall be lawful for the said Commissioners and they are hereby required to assess and charge the Stamp Duty to which in their Judgment such Deed or Instrument is liable, and upon payment of the Stamp Duty so assessed and charged by them, or, in the Case of a Deed or Instrument insufficiently stamped, of such a Sum as, together with the Stamp Duty already paid thereon, shall be equal to the Duty so assessed and charged, and upon Payment also of the Amount, if any, payable by way of Penalty on stamping such Deed or Instrument, to stamp such Deed or Instrument with the proper Stamp or Stamps denoting the Amount of the Duty so paid, and thereupon, or if the full Stamp Duty to which in the Judgment of the said Commissioners such Deed or Instrument shall be liable shall have been previously paid and denoted upon the same in manner aforesaid, the said Commissioners shall impress upon such Deed or Instrument a particular Stamp to be provided by them for that Purpose, with such Word or Words or Device or Symbol thereon as they shall think proper in that Behalf, and such last-mentioned Stamp shall be deemed and taken to signify and denote that the full Amount of Stamp Duty with which such Deed or Instrument is by Law chargeable has been paid, and every Deed or Instrument upon which the same shall be impressed shall be deemed to have been duly stamped, and shall be receivable in Evidence in all Courts of Law or Equity, notwithstanding any Objection made to the same as being insufficiently stamped; save and except that such last-mentioned Stamp shall not be impressed upon any Deed or Instrument chargeable with *ad valorem* Duty under or by reference to the Head of Bond or Mortgage in the Schedule to this Act where the same is made as a Security for the Payment or Transfer or Re-transfer of Money or Stock without any Limit as to the Amount thereof; and provided always, that nothing herein contained shall be deemed or construed to extend to require or authorize the said Commissioners to stamp as last aforesaid any Probate of a Will or Letters of Administration, or to stamp as last aforesaid any Deed or Instrument after the signing or Execution thereof in any Case in which the stamping thereof is expressly prohibited by any Law in force.

XV. Provided always, and be it enacted, That if the Party presenting such Deed or Instrument to the said Commissioners as aforesaid for their Opinion as to the Stamp Duty with which the same is chargeable shall declare himself dissatisfied with the Determination made by them in that Behalf, it shall be lawful for such Party, upon paying the Amount of the Stamp Duty according to such Determination, and depositing with

Party dissatisfied with the Determination of the Commissioners as to the Stamp Duty

chargeable
may appeal
to the
Court of
Exche-
quer, and
the Duty
shall be
paid ac-
cording to
the Deci-
sion of the
Court.

with the said Commissioners the Sum of Forty Shillings for Costs and Charges to be paid by him in the Event herein-after provided for, to require the said Commissioners to state specially and to sign the Case on which the Question with respect to such Stamp Duty arose, together with their Determination thereupon, which Case the said Commissioners are hereby required to state and sign accordingly, and to cause the same to be delivered to the Party making such Request as aforesaid in order that he may appeal against such Determination to Her Majesty's Court of Exchequer at *Westminster*; and upon the Application of the said Party (due Notice thereof being given to the Solicitor of Inland Revenue to the end that Counsel may be heard on behalf of the said Commissioners) it shall be lawful for the said Court of Exchequer and the said Court is hereby required to hear and determine the said Appeal, and to decide as to the Stamp Duty with which such Deed or Instrument is chargeable, and according to such Decision the Stamp Duty and Penalty (if any) which shall have been the Subject of such Case shall be deemed to have been payable by Law; and if no Excess of Stamp Duty or Penalty shall have been paid to the said Commissioners by the said Appellant, over and above the Sum which according to the Decision of the said Court ought to have been paid upon or in respect of such Deed or Instrument, the said Sum of Forty Shillings deposited for Costs and Charges as aforesaid shall be applied to the Use of Her Majesty's Revenue; but if any such Excess as aforesaid shall have been so paid by the said Appellant, the same, together with the said Sum of Forty Shillings deposited as aforesaid, shall be repaid by the said Commissioners to the said Appellant; and if the Sum paid for Stamp Duty or Penalty upon or in respect of such Deed or Instrument shall fall short of the Amount which, according to the Decision of the said Court upon any such Appeal, is chargeable or ought to be paid upon or in respect of such Deed or Instrument, the Deficiency of such Stamp Duty or Penalty, or both, as the Case may be, shall be paid by the said Appellant to the said Commissioners, and the Court shall order and enforce the Payment thereof accordingly.

Convey-
ances,
Mort-
gages, and
Settle-
ments of
Property
under Con-
tract or
Obligation

XVI. And be it enacted, That where any Lands or other Property shall have been actually and *bonâ fide* contracted to be sold prior to the Twentieth Day of *March* One thousand eight hundred and fifty by any Contract or Agreement in Writing duly stamped, or shall have been actually and *bonâ fide* sold under the Decree of any Court made prior to the said Twentieth Day of *March*, and the same shall be conveyed to the Purchaser or any other Person by his Direction after the
Tenth

Tenth Day of *October*, and before or on the Thirty-first Day of *March* One thousand eight hundred and fifty-one, or where any Lands or other Property shall have been actually and *bonâ fide* contracted to be mortgaged prior to the said Twentieth Day of *March* One thousand eight hundred and fifty, and the Abstract of Title of the Mortgagor to such Lands or other Property shall have been actually delivered to the intended Mortgagee or his Solicitor prior to the said Twentieth Day of *March* One thousand eight hundred and fifty, and the same Mortgage shall be executed after the said Tenth Day of *October*, and before or on the Thirty-first Day of *March* One thousand eight hundred and fifty-one, or where any Deed or Instrument liable to the *ad valorem* Duty by this Act granted under the Head of "Settlement" in the Schedule to this Act shall be executed after the said Tenth Day of *October*, and before or on the Thirty-first Day of *March* One thousand eight hundred and fifty-one, in pursuance of an Obligation contained in any Deed, Will, or other Instrument which was actually and *bonâ fide* in force and obligatory upon the Party executing the same prior to the said Twentieth Day of *March* One thousand eight hundred and fifty, or in pursuance of the Decree of any Court made prior to that Day, the principal or only Deed or Instrument whereby such Lands or other Property as aforesaid shall be conveyed or mortgaged respectively, and the principal or only Deed chargeable with *ad valorem* Duty by this Act granted under the Head of "Settlement" in the Schedule hereto, shall be exempt from any *ad valorem* Duty of a greater Amount than would have been payable on such Deed or Instrument respectively if this Act had not been passed; but in order to prevent Frauds such Deed or Instrument shall be produced on or before the Thirtieth Day of *April* One thousand eight hundred and fifty-one, duly executed and duly stamped, to the Commissioners of Inland Revenue, and upon its being proved to their Satisfaction that the Lands or other Property therein comprised were actually and *bonâ fide* contracted to be sold as aforesaid, or were actually and *bonâ fide* sold under the Decree of any Court made prior to the said Twentieth Day of *March* One thousand eight hundred and fifty, or that such Lands or other Property therein comprised were actually and *bonâ fide* contracted to be mortgaged as aforesaid, and that the Abstract of Title thereto was actually delivered as aforesaid, or that such Deed or Instrument liable to the *ad valorem* Duty by this Act, granted under the Head of "Settlement" in the Schedule to this Act, was executed in pursuance of an Obligation contained in such Deed, Will, or other Instrument so in force and obligatory as aforesaid, or was actually

before 20th
March
1850 ex-
empted
from any
increased
ad valorem
Duty.

actually and *bonâ fide* executed in pursuance of the Decree of any Court made prior to the said Twentieth Day of *March* One thousand eight hundred and fifty, and that such Deed or Instrument was duly executed on or before the Thirty-first Day of *March* One thousand eight hundred and fifty-one, the said Commissioners of Inland Revenue, or some or One of them, shall sign a Certificate of what shall be so proved to their Satisfaction upon such Deed or Instrument, and thereupon such Deed or Instrument, being stamped with the *ad valorem* Duty which would have been payable if this Act had not been passed, shall be as valid and available in the Law as if the same had been stamped with the said *ad valorem* Duty by this Act granted, but the same shall not without such Certificate be given in Evidence, or be in any Manner available, unless stamped with such *ad valorem* Duty last mentioned.

1 & 2 G.
4. c. 55.

XVII. And whereas it is considered that under the Provisions of an Act passed in the First and Second Years of the Reign of King *George* the Fourth, intituled *An Act to remove Doubts as to the Amount of Stamp Duties to be paid on Deeds and other Instruments under the several Acts in force in Great Britain and Ireland respectively*, any Deed, Agreement, or other Instrument which relates wholly to Real or Personal Property in *Ireland*, or to any Matter or Thing (other than the Payment of Money) to be done in *Ireland*, cannot after the engrossing thereof properly be stamped elsewhere than at the Stamp Office in *Dublin*, and also that any Deed, Agreement, or other Instrument which relates to any Real or Personal Property situate elsewhere than in *Ireland*, or to any Matter or Thing (other than the Payment of Money) to be done elsewhere than in *Ireland*, cannot after the engrossing thereof properly be stamped elsewhere than at the Stamp Office in *London*: And whereas such Construction of the said Act as aforesaid is the Occasion of Inconvenience: Be it therefore enacted and declared, That from and after the passing of this Act any such Deed, Agreement, or Instrument as aforesaid may and shall, without regard to the Place where the Property, Matter, or Thing to which the same may relate may be situate or may be to be done, be stamped with such Duty or Duties as the same may be liable to, either at the Stamp Office in *London* or at the Stamp Office in *Dublin*, according as the same shall for that Purpose be presented at either of the said Offices.

Deeds, &c.
may be
stamped
either in
London or
Dublin.

The Allowance
on Receipt
Stamps
granted by
12 & 13
Vict. c. 80.
repealed.

XVIII. And whereas by an Act passed in the Thirteenth Year of the Reign of Her said Majesty, intituled *An Act to repeal the Allowances on the Purchase of Stamps, and for the receiving and accounting for the Duties on Gold and Silver Plate, and to grant other Allowances in lieu thereof*, an Allowance at
the

the Rate of One Pound Ten Shillings *per Cent* is granted to any Person who shall produce at the Office of the Commissioners of Inland Revenue in *London* or *Dublin* to be stamped, or shall purchase of the said Commissioners at their Office in *London*, *Edinburgh*, or *Dublin*, Vellum, Parchment, or Paper stamped with Stamps (not being Labels for Medicines) under the Value respectively of Ten Pounds each, but to the Amount or Value in the whole of Thirty Pounds or upwards: And whereas it is expedient to repeal the said Allowance so far as relates to Stamps for Receipts, and to grant another and increased Rate of Allowance in lieu thereof: Be it therefore enacted, That from and after the passing of this Act the said Allowance granted by the said last-mentioned Act, so far as the same relates to Stamps for Receipts, shall be and the same is hereby repealed, and that in lieu thereof there shall be made and granted the Allowance following; (that is to say,) to any Person who at one and the same Time shall produce at the Office of the said Commissioners in *London* or *Dublin* Paper to be stamped with Stamps for Receipts to the amount of Five Pounds or upwards, or shall purchase at the Office of the said Commissioners in *London*, *Edinburgh*, or *Dublin* Stamps for Receipts to the Amount of Five Pounds or upwards, or of any Distributor or Sub-distributor of Stamps at any Place not within the Distance of Ten Miles from the said Offices respectively to the Amount of One Pound or upwards, an Allowance at and after the Rate of Seven Pounds Ten Shillings *per Centum*, provided that no such Allowance shall be made for any Fraction of a Pound.

Allowance
of £7, 10s.
per Cent
granted.

XIX. And whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act to regulate the Collection of Stamp Duties on matters in respect of which Licences may be granted by the Commissioners of Stamps in Ireland*, it is enacted, that the said Commissioners shall annually grant a Licence for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, to all and every Body and Bodies Politic or Corporate or Person or Persons applying for the same in manner therein mentioned, and that where the Business of Insurance is carried on by a Company consisting of a greater Number than Four the said Licence shall be granted to such Two or more of such Company or Partners, or if such Company or Partnership shall be a *British* Company or Partnership, then to such Agent or Agents resident in *Ireland* as shall be named to the said Commissioners; and that no Person or Persons or Body or Bodies Politic or Corporate shall insure, or open or keep any Office in *Ireland* for insuring Houses, Furniture, Goods, Wares,

Reciting
55 G. 3. c.
101. as to
Fire Insur-
ances in
Ireland.

6 & 7 W.
4. c. 28.
and 1 & 2
Vict. c. 61.
as to De-
posit of
Stock.

Fire Insu-
rance Li-
cences in
Ireland to
be per-
manent.

Security
to be given
for Pay-
ment of
Duties.

Wares, Merchandize, or other Property from Loss by Fire, without having first taken out and continuing to take out annually a Licence for that Purpose ; and it is also enacted, that all and every Person and Persons, and Body or Bodies Politic or Corporate to whom any such Licence as aforesaid shall be granted shall at the Time of receiving such Licence give such Security, with sufficient Sureties, to be approved of by the said Commissioners of Stamps, by Bond to His Majesty, conditioned for making out, signing, and delivering the Accounts of all Monies received for Duties upon such Insurances, and Payment of the same, as therein mentioned : And whereas under and by virtue of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to enable Persons to make Deposits of Stock or Exchequer Bills in lieu of giving Security by Bond to the Postmaster General and Commissioners of Land Revenue, Customs, Excise, Stamps, and Taxes*, and of an Act passed in the First and Second Years of Her present Majesty's Reign, for amending the said last-mentioned Act, any Person from whom any Security is required in respect of any Matter relating to the Revenues of the Post Office, Land Revenues, Customs, Excise, Stamps, or Taxes is enabled, in lieu of giving such Security by Bond, to give the same by Transfer of Stock or Deposit of Exchequer Bills, as therein mentioned : And whereas the giving of Security every Year by Persons in Ireland insuring Property from Loss or Damage by Fire on taking out a Licence for that Purpose is attended with great Inconvenience, and it is expedient to provide a Remedy for the same : Be it therefore enacted, That every Licence which shall be hereafter granted for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, under the said Act passed in the Fifty-fifth Year of the Reign of King George the Third, shall endure and remain in force from the Day of the Date thereof for and during all such Time as the Body Politic or Corporate to which the same shall be granted, or the Person or Persons therein named, or any of them, shall continue to insure or carry on the Business of Fire Insurance, or, in the Case of a Company in Ireland not incorporate, so long as the Persons named in the Licence shall be Members or Partners or a Member or Partner of the Company named or described in such Licence, and as and for the whole of which the same shall have been granted, anything in any of the said recited Acts or in any other Act contained to the contrary notwithstanding : Provided always, that every Person and Body Politic or Corporate to whom any such Licence as aforesaid shall be granted shall give Security by
Bond

Bond to Her Majesty, Her Heirs and Successors, in such Sum as the Commissioners of Inland Revenue, or their proper Officer in that Behalf in *Ireland*, shall think proper, with sufficient Sureties, to the Satisfaction of the said Commissioners or Officer, or by Transfer of Stock or Deposit of Exchequer Bills, in pursuance of the said recited Acts in that Behalf, for duly and faithfully keeping, making out, signing, and delivering, in the Manner required by any Act of Parliament relating thereto, all and every the Accounts by any such Act required to be kept, made out, signed, and delivered by Persons and Bodies Politic or Corporate to whom Licence is granted for insuring Houses, Furniture, Goods, Wares, Merchandize, or other Property from Loss by Fire, and for duly and faithfully paying, as required by any such Act, the Duties which shall appear to be due on such Accounts respectively, and for truly and faithfully observing and performing all the Directions, Matters, and Things contained in the said Acts, on the Part of such licensed Person or Body Politic or Corporate to be observed and performed ; and every such Security to be given under any of the said Acts, whether by Bond, or Transfer or Deposit of Stock or Exchequer Bills, and in the Case of any such Transfer or Deposit in or into whose Name or Names soever, together with the Name of the Chairman of the Commissioners of Inland Revenue for the Time being, the Stock or Exchequer Bills shall be or be transferred or deposited, shall continue and be a Security for the due Performance of all Things required as aforesaid, not only during all such Time as the Licence to which the same shall relate shall be in force, but, in the Case of Bodies Politic or Corporate or Companies not incorporate in *Ireland*, during all such Time as the Body Politic or Corporate or the Company not incorporate named or described in such Licence shall insure any such Property from Loss by Fire, or shall carry on the Business of such Insurance, whether any such Licence shall be in force or not, or otherwise, according to the Conditions of any such Bond, or the Terms or Conditions of any Declaration relating to any such Stock or Exchequer Bills ; and such Stock or Exchequer Bills may, when the Security for which the same was or were transferred or deposited shall be no longer necessary, be transferred or delivered up to any of the Persons who for the Time being shall be a Partner or Member or Partners or Members of the Company for or on whose Behalf the same was or were transferred or deposited, or otherwise, according to the Terms, if any, in that Behalf mentioned and contained in any such Declaration as the said Chairman for the Time being shall think proper : Provided always, that every such Security shall

The Security to continue in force so long as the Person to whom the Licence is granted or the Company shall continue to insure.

The Security to be renewed.

be

be renewed from Time to Time as often as any such Bond shall become forfeited, or any of the Parties thereto shall die, or become bankrupt or insolvent, or reside in Parts beyond the Seas, and also as often as the said Commissioners or their said Officer shall think fit, and in such Amount as they or the Commissioners of Her Majesty's Treasury shall direct, whether the same shall be by Bond or Transfer or Deposit as aforesaid; and in the event of any Neglect or Refusal to renew the same, when required by this Act, or by the said Commissioners of Inland Revenue or their said Officer, it shall be lawful for the said last-mentioned Commissioners to revoke the Licence which shall have been granted to the Body Politic or Corporate, or Company, or Person or Persons, neglecting or refusing to renew such Security, to insure Property from Loss by Fire, and thenceforth such Licence shall cease and determine.

Construc-
tion of
certain
Terms used
in Stamp
Acts.

XX. And in order to avoid the frequent Use of divers Terms and Expressions, and to prevent any Misconstruction of the Terms and Expressions used in this or any other Act relating to Stamp Duties, be it enacted, That wherever in this Act or in any other such Act as aforesaid, with reference to any Person, Offence, Matter, or Thing, any Word or Words is or are or have been or shall be used importing the Singular Number or the Masculine Gender only, yet such Words shall be understood to include several Persons as well as one Person, Females as well as Males, Bodies Politic or Corporate as well as Individuals, and several Matters or Things as well as one Matter or Thing, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction; and that wherever the several Words, Terms, or Expressions following are or shall be used in this Act or in any other such Act as aforesaid, with reference to any Deed or Instrument, they shall be construed respectively in the Manner herein-after directed, (that is to say,) the Word "write" or the Word "written" shall be respectively deemed to mean and include the several Words "print" or "printed," or "partly write and partly print," or "partly written and partly printed," as well as "write" or "written."

Act may be
amended,
&c.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

The SCHEDULE referred to,
CONTAINING
THE DUTIES GRANTED BY THIS ACT.

SCHEDULE.	Duty.
AGREEMENT, or any Minute or Memorandum of Agreement, made in <i>England</i> or <i>Ireland</i> under Hand only, or made in <i>Scotland</i> without any Clause of Registration, (<i>not charged otherwise than under the Head AGREEMENT in the Schedule to the Act 55 G. 3. c. 184., nor expressly exempted from all Stamp Duty</i>), where the Matter thereof shall be of the Value of L.20 or upwards, whether the same shall be only Evidence of a Contract, or obligatory upon the Parties from its being a written Instrument, together with every Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto - - - - -	£ s. d. 0 2 6
And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, a further <i>progressive</i> Duty of -	0 2 6
BOND in <i>England</i> or <i>Ireland</i> , and Personal Bond in <i>Scotland</i> , given as a Security for the Payment of any <i>definite</i> and <i>certain</i> Sum of Money :	
Not exceeding L.50 - - - - -	0 1 3
Exceeding L.50 and not exceeding L.100 - - -	0 2 6
Exceeding L.100 and not exceeding L.150 - - -	0 3 9
Exceeding L.150 and not exceeding L.200 - - -	0 5 0
Exceeding L.200 and not exceeding L.250 - - -	0 6 3
Exceeding L.250 and not exceeding L.300 - - -	0 7 6
And where the same shall exceed L.300, then for every L.100 and also for any fractional Part of L.100 -	0 2 6
BOND in <i>England</i> or <i>Ireland</i> , and Personal Bond in <i>Scotland</i> , given as a Security for the Repayment of any Sum or Sums of Money <i>to be thereafter lent, advanced, or paid, or which may become due upon an Account Current</i> , together with any Sum already advanced or due, or without, as the Case may be ;	
Where the Money secured or to be ultimately recoverable thereupon <i>shall be limited</i> not to exceed a given Sum - - - - -	The same Duty as on a Bond for such limited Sum. The same Duty as on a Bond for a Sum equal to the Amount of the Penalty of such Bond.
And where the total Amount of the Money secured or to be ultimately recoverable thereupon <i>shall be uncertain, and without any Limit</i> - - -	
And where there shall be no Penalty of the Bond in such last-mentioned Case, such Bond shall be available for such an Amount only as the <i>ad valorem</i> Duty denoted by any Stamp or Stamps thereon will extend to cover.	

SCHEDULE.

Duty.

BOND in *England* or *Ireland*, and Personal Bond in *Scotland*, given as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of *England*, or of the Bank of *Ireland*, or of the *East India* Company, or of the *South Sea* Company, or of any other Company or Corporation -

£ s. d.
The same *ad valorem* Duty as on a Bond for a Sum of Money equal to the Value of the Stock or Fund secured, according to the average price thereof on the Day of the Date of the Bond, or on either of the Ten Days preceding, or if there shall not have been any known Sale on any of such Days, then on the latest Day preceding on which there shall have been a known Sale.

Heritable BOND in *Scotland* for any of the Purposes aforesaid.—
See MORTGAGE.

BOND in *England* or *Ireland*, and Personal Bond in *Scotland*, given as a Security for the Payment of any Sum of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, *which shall be secured also by a Mortgage or Wadset*, or other Instrument or Writing herein-after charged with and which shall have paid the same Duty as a Mortgage or Wadset, or for the Performance of Covenants contained in such Mortgage or other Instrument or Writing, or for both those Purposes, *provided such Mortgage, Wadset, or other Instrument or Writing shall bear even Date with and be referred to in such Bond*;

Where the Sum of Money or the Value of the Stock or Funds secured shall not exceed L.800 -

The same *ad valorem* Duty as on a Mortgage or Wadset for securing the like Amount or Value.

And where such Sum or Value shall exceed L.800 -

1 0 0

BOND in *England* or *Ireland*, and Personal or Heritable Bond in *Scotland*, given as an *additional or further Security* for the Payment of any Sum or Sums of Money, or for the Transfer or Re-transfer of any Share in any of the Stocks or Funds before mentioned, previously secured by a Bond, Mortgage, or other security *therein referred to*, and which shall have paid the proper *ad valorem* Duty on Bonds or Mortgages imposed by Law at the Date thereof;

SCHEDULE.	Duty.
BOND—<i>continued.</i> Where the Sum of Money or the Value of the Stock or Funds secured shall not exceed L.1,400 - - - And where such Sum of Money or the Value of the Stock or Funds secured shall exceed L.1,400 - - -	£ s. d. The same <i>ad valorem</i> Duty as on a Bond or Mortgage for securing the like Sum or Value. 1 15 0
BOND.—Any TRANSFER or ASSIGNMENT, Disposition or Assignment of any such Bond as aforesaid, and which shall have paid the proper <i>ad valorem</i> Duty on Bonds ; Where the Principal Money or Stock secured by the Bond shall not exceed in Amount or Value in the whole the Sum of L.1,400 - - - And in every other Case such Transfer, Assignment, Disposition, or Assignment shall be chargeable with the Duty of - - - And see PROGRESSIVE DUTY.	The same Duty as on a Bond for the total Amount or Value of such Principal Money or Stock. 1 15 0
BOND in <i>England</i> or <i>Ireland</i>, and Personal or Heritable Bond in <i>Scotland</i>, given as the <i>only</i> or <i>principal</i> Security for the Payment of any <i>Annuity upon the original Creation and Sale thereof</i> - - -	The same <i>ad valorem</i> Duty as on a Conveyance upon Sale in consideration of the Sum or Value given or agreed to be given for the Purchase of such Annuity.
For the Duty payable, see CONVEYANCE upon the Sale of Property.	
BOND in <i>England</i> or <i>Ireland</i>, and Personal Bond in <i>Scotland</i>, given as a <i>collateral</i> or <i>auxiliary</i> Security for the Payment of any <i>Annuity upon the original Creation and Sale thereof</i>, where the same shall be granted or conveyed or secured by any other Deed or Instrument liable to and charged with the <i>ad valorem</i> Duty imposed by Law on Conveyances upon the Sale of any Property ;	
Where such <i>ad valorem</i> Duty shall not exceed 20s. such Bond shall be chargeable with a Stamp Duty of equal Amount with the said <i>ad valorem</i> Duty. And where such <i>ad valorem</i> Duty shall exceed 20s. such Bond shall be chargeable with the Duty of - - -	1 0 0

SCHEDULE.

Duty.

BOND in *England or Ireland*, and Personal or Heritable Bond in *Scotland*, given as a Security for the Payment of any *Annuity*, (except upon the original Creation and Sale thereof, or of any Sum or Sums of Money at stated Periods (*not being interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack*), for any definite and certain Term, so that the total Amount of the Money to be paid can be previously ascertained

£ s. d.
The same *ad valorem* Duty as on a Bond of the like Nature for the Payment of a Sum of Money equal to such total Amount.

BOND in *England or Ireland*, and Personal or Heritable Bond in *Scotland*, given as a Security for the Payment of any *Annuity*, (except as aforesaid,) or of any Sum or Sums of Money at stated Periods, *not being Interest for any Principal Sum, nor Rent reserved or payable upon any Lease or Tack*), for the Term of Life or any other *indefinite Period*, so that the whole Money to be paid cannot be previously ascertained;

Where the Annuity or Sum secured shall not exceed L.50 per Annum - - - - -

1 0 0

And where the same shall exceed L.50 and not exceed L.100 per Annum - - - - -

2 0 0

And where the same shall exceed L.100 per Annum, then for every L.100 per Annum and also for any fractional Part of L.100 per Annum - - - - -

2 0 0

But where there shall be both a Personal and Heritable Bond in *Scotland* in separate Deeds of the same Date for securing any such Annuity or Sums payable at stated Periods, and the *ad valorem* Duty above charged thereon shall amount to L.2 or upwards, the Heritable Bond only shall be charged with the *ad valorem* Duty, and the Personal Bond shall be charged only with a Duty of - - - - -

1 0 0

BOND of any Kind or Description given for any other Purpose than as aforesaid - - - - -

The Duty chargeable thereon by any Act or Acts now in force.

Provided always, and it is hereby declared, that no such Bond as last mentioned shall be charged or chargeable under this or any other Act or Acts with any greater Amount of Stamp Duty than the *ad valorem* Duty herein-before charged upon a Bond given for the Payment of a definite and certain Sum of Money of the same Amount as the Penalty of such Bond.

And in all the said several Cases of BOND see PROGRESSIVE DUTY.

SCHEDULE.	Duty.
CHARTER of Resignation, or of Confirmation, or of Novodamus, or upon Apprising, or upon a Decreet of Adjudication or Sale of any Lands, or other Heritable Subjects in <i>Scotland</i> , holden of any Subject Superior - - - - -	£ s. d. 0 5 0
And where the same shall contain 2160 Words or upwards, then for every entire Quantity of 1080 Words contained therein over and above the first 1080 Words a further <i>progressive</i> Duty of - - - - -	0 5 0
CONVEYANCE, whether Grant, Disposition, Lease, Assignment, Transfer, Release, Renunciation, or of any other Kind or Description whatsoever, <i>upon the Sale</i> of any Lands, Tenements, Rents, Annuities, or other Property, real or personal, heritable or moveable, or of any Right, Title, Interest, or Claim in, to, out of, or upon any Lands, Tenements, Rents, Annuities, or other Property, that is to say, for and in respect of the <i>principal or only Deed, Instrument, or Writing</i> whereby the Lands or other Things sold shall be granted, leased, assigned, transferred, released, renounced, or otherwise conveyed to or vested in the Purchaser or Purchasers, or any other Person or Persons by his, her, or their Direction ;	
Where the Purchase or Consideration Money therein or thereupon expressed shall not exceed L.25, -	0 2 6
And where the same shall exceed L.25, and not exceed L.50, - - - - -	0 5 0
And where the same shall exceed L.50, and not exceed L.75, - - - - -	0 7 6
And where the same shall exceed L.75, and not exceed L.100, - - - - -	0 10 0
And where the same shall exceed L.100, and not exceed L.125, - - - - -	0 12 6
And where the same shall exceed L.125, and not exceed L.150, - - - - -	0 15 0
And where the same shall exceed L.150, and not exceed L.175, - - - - -	0 17 6
And where the same shall exceed L.175, and not exceed L.200, - - - - -	1 0 0
And where the same shall exceed L.200, and not exceed L.225, - - - - -	1 2 6
And where the same shall exceed L.225, and not exceed L.250, - - - - -	1 5 0
And where the same shall exceed L.250, and not exceed L.275, - - - - -	1 7 6
And where the same shall exceed L.275, and not exceed L.300, - - - - -	1 10 0
And where the same shall exceed L.300, and not exceed L.350, - - - - -	1 15 0

SCHEDULE.	Duty.
	£ s. d.
CONVEYANCE— <i>continued</i> .	
And where the same shall exceed L.350, and not exceed L.400, - - - - -	2 0 0
And where the same shall exceed L.400, and not exceed L.450, - - - - -	2 5 0
And where the same shall exceed L.450, and not exceed L.500, - - - - -	2 10 0
And where the same shall exceed L.500, and not exceed L.550, - - - - -	2 15 0
And where the same shall exceed L.550, and not exceed L.600, - - - - -	3 0 0
And where the Purchase or Consideration Money shall exceed L.600, then for every L.100, and also for any fractional Part of L.100, - - - - -	0 10 0
And it is hereby directed that the Purchase Money or Consideration <i>shall be truly expressed and set forth in Words at Length</i> in or upon every such principal or only Deed or Instrument of Conveyance ; and where such Consideration shall consist either wholly or in part of any Stock or Security, the Value thereof respectively, to be ascertained as herein-after mentioned, shall also be truly expressed and set forth in manner aforesaid in or upon every such Deed or Instrument ; and such Value shall be deemed and taken to be the Purchase or Consideration Money, or Part of the Purchase or Consideration Money, as the Case may be, in respect whereof the <i>ad valorem</i> Duty shall be charged as aforesaid.	
And where the Consideration or any Part of the Consideration shall be any Stock in any of the Public Funds, or any Government Debenture or Stock of the Bank of <i>England</i> or Bank of <i>Ireland</i> , or any Debenture or Stock of any Corporation, Company, Society, or Persons or Person, payable only at the Will of the Debtor, the said Duty shall be calculated (taking the same respectively, whether constituting the Whole or a Part only of such Consideration) according to the average selling Price thereof respectively on the Day or on either of the Ten Days preceding the Day of the Date of the Deed or Instrument of Conveyance, or if no Sale shall have taken place within such Ten Days, then according to the average selling Price thereof on the Day of the last preceding Sale ; and if such Consideration or Part of such Consideration shall be a Mortgage, Judgment, or Bond, or a Debenture, the Amount whereof shall be recoverable by the Holder, or any other Security whatsoever, whether payable in Money or otherwise, then such Calculation shall be made according to the Sum due thereon for both Principal and Interest.	
And see PROGRESSIVE DUTY.	

SCHEDULE.	Duty.
COPYHOLD ESTATES and CUSTOMARY Estates passing by Surrender and Admittance, or by Admittance only, and not by Deed : INSTRUMENTS relating thereto <i>upon the Sale or Mortgage</i> of any such Estates ; (that is to say,)	£ s. d.
Any ADMITTANCE out of Court, or the Memorandum thereof, or the Copy of Court Roll of any Admittance in Court, - - - - -	0 2 6
And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words, a further <i>progressive</i> Duty of - - -	0 2 6
COUNTERPART. See DUPLICATE.	
COVENANT.—Any <i>separate</i> Deed of Covenant made on the Sale or Mortgage of any Freehold, Leasehold, Copyhold, or Customary Estate, or of any Right or Interest therein (<i>the same not being a Deed chargeable with ad valorem Duty under the Head of CONVEYANCE in this Schedule</i>) for the Conveyance, Assignment, Surrender, or Release of such Estate, Right, or Interest, or for the Title to, or quiet Enjoyment, Freedom from Incumbrances, or further Assurance of the same Estate, Right, or Interest, or otherwise by way of Indemnity in respect of the same, or for the Production of the Title Deeds or Muniments of Title relating thereto, or for all or any of those Purposes ;	
Where the <i>ad valorem</i> Duty on the Purchase Money } or Consideration or on the Mortgage Money shall } not exceed the Sum of 10s., - - - }	A Duty equal to the Amount of such <i>ad valorem</i> Duty.
And where the same shall exceed that Amount, -	0 10 0
And see PROGRESSIVE DUTY.	
COVENANT.—Any Deed containing a Covenant for the Payment or Repayment of any Sum or Sums of Money, or for the Transfer or Re-transfer of any Share or Shares in the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of England, or of the Bank of Ireland, or of the East India Company, or of the South Sea Company, or of any other Company or Corporation, in any Case where a Mortgage, if made for the like Purpose, would be chargeable under this Schedule with any <i>ad valorem</i> Duty exceeding in Amount the Sum of L.1, 15s. ; or for the Payment of any Annuity, or any Sums at stated Periods, in any Case where a Bond for the like Purpose would be chargeable with any such Duty, - - - - -	The same <i>ad valorem</i> Duty as on a Mortgage or Bond respectively for the like Purpose.
For the Duty thereon, see BOND or MORTGAGE.	
And see PROGRESSIVE DUTY.	

SCHEDULE.

Duty.

COVENANT—*continued.*

£ s. d.

Provided always, that where any Covenant shall be made as an additional or further Security for the Payment or Repayment, Transfer or Re-transfer of any Sum or Sums of Money, or any Share or Shares in any of the said Stocks or Funds, or for the Payment of any Annuity or Sums at stated Periods, at the same Time or already or previously secured by any Bond or other Instrument mentioned and referred to by the Deed containing such Covenant, and chargeable with and which shall have paid the proper *ad valorem* Duty under the Head of BOND or MORTGAGE, or (as respects any Annuity) under the Head of CONVEYANCE, respectively in this Schedule, or under any Act or Acts in force at the Date thereof, in respect of the same Sum or Sums, Share or Shares, the said *ad valorem* Duty hereby charged shall not be payable upon or in respect of such Covenant; and if required for the sake of Evidence, the Deed containing such Covenant shall, on the same and such Bond or other Instrument being produced duly stamped in other respects, be stamped with a particular Stamp for denoting or testifying the Payment of the *ad valorem* Duty hereby charged.

EXEMPTION from the preceding ad valorem Duty, but not from any other Duty to which the same may be liable.

Any Covenant contained in any Deed chargeable with any Duty under the Head of MORTGAGE in this Schedule, or in any Deed exempted from the ad valorem Duty on Mortgages by the Act 3 Geo. IV., c. 117, such Deeds hereby exempted operating as a Security by way of Mortgage, or as a Transfer, Assignment, Disposition, or Assignment herein-after charged for the same Sum or Sums of Money, or Share or Shares in any of the said Stocks or Funds, which is or are the Subject of such Covenant.

Also any Covenant contained in any Deed chargeable with any Duty under the Head of SETTLEMENT in this Schedule, in respect of the same Sum or Sums of Money, or Share or Shares in any of the said Stocks or Funds, which is or are the Subject of such Covenant.

DUPLICATE or COUNTERPART of any Deed or Instrument, of any Description whatever, chargeable with any Stamp Duty or Duties, either under this Schedule or any other Act or Acts now in force;

SCHEDULE.	Duty.
DUPLICATE or COUNTERPART — <i>continued.</i>	£ s. d.
Where such Stamp Duty or Duties chargeable as aforesaid (<i>exclusive of progressive Duty</i>) shall not amount to the Sum of Five Shillings - - -	The same Duty or Duties as shall be chargeable on the original Deed or Instrument, including the <i>progressive</i> Duty thereon (if any.)
And where the same (<i>exclusive as aforesaid</i>) shall amount to the Sum of Five Shillings or upwards -	0 5 0
And where in the latter Case any such Deed or Instrument, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, such Duplicate or Counterpart shall be charged with the further <i>progressive</i> Duty of - - -	0 2 6
Provided always, that in such latter Case the Duplicate or Counterpart shall not be available unless stamped with a particular Stamp for denoting or testifying the Payment of the full and proper Stamp Duty on the original Deed or Instrument, which said particular Stamp shall be impressed upon such Duplicate or Counterpart, on the same being produced together with the original Deed or Instrument, and on the whole being duly executed and duly stamped in all other respects.	
LEASE or TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects, granted in consideration of a Sum of Money by way of <i>Fine</i> , Premium, or Grassum paid for the same, <i>without any yearly Rent, or with any yearly Rent under L.20.</i>	The same Duty as for a Conveyance on the sale of Lands for a Sum of Money of the same Amount.
For the Duty thereon see CONVEYANCE.	
(Save and except Leases and Tacks for a Life or Lives not exceeding Three, or for a Term of Years determinable with a Life or Lives not exceeding Three, by whomsoever granted, and Leases for a Term absolute not exceeding Twenty-one Years, granted by Ecclesiastical Corporations, aggregate or sole, where the Duties on such Leases and Tacks respectively would, under the Provisions of this Act, amount to L.1, 15s. or upwards.)	
LEASE or TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects at a yearly Rent, <i>without any</i> Sum of Money by way of <i>Fine</i> , Premium, or Grassum paid for the same ;	

SCHEDULE.	Duty.
LEASE— <i>continued.</i>	£ s. d.
Where the yearly Rent shall not exceed L.5, - -	0 0 6
And where the same shall exceed L.5, and not exceed	
L.10, - - - - -	0 1 0
And where the same shall exceed L.10, and not exceed	
L.15, - - - - -	0 1 6
And where the same shall exceed L.15, and not exceed	
L.20, - - - - -	0 2 0
And where the same shall exceed L.20, and not exceed	
L.25, - - - - -	0 2 6
And where the same shall exceed L.25, and not exceed	
L.50, - - - - -	0 5 0
And where the same shall exceed L.50, and not exceed	
L.75, - - - - -	0 7 6
And where the same shall exceed L.75, and not exceed	
L.100, - - - - -	0 10 0
And where the same shall exceed L.100, then for every	
L.50, and also for any fractional Part of L.50, -	0 5 0
LEASE or TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects, granted in consideration of a Sum of Money by way of <i>Fine</i> , Premium, or Grassum, and also of a yearly Rent amounting to L.20, or upwards - -	Both the <i>ad valorem</i> Duties payable for a Lease in consideration of a Fine only and for a Lease in consideration of a Rent only of the same Amount.
(Save and except the Leases and Tacks herein-before excepted.)	
LEASE or TACK of any <i>Mine</i> or <i>Minerals</i> or other Property of a like Nature, either with or without any other Lands, Tenements, Hereditaments, or Heritable Subjects, where any Portion of the Produce of such Mines or Minerals shall be reserved to be paid in Money or Kind;	
If it shall be stipulated that the Value of such Portion of the Produce shall amount at least to a given Sum per Annum, or if such Value shall be limited not to exceed a given Sum per Annum, to be specified in such Lease or Tack, then the said <i>ad valorem</i> Duty on Leases shall be charged in respect of the highest of such Sums so given or limited for any Year during the Term of such Lease or Tack.	
And where any yearly Sum shall be reserved in addition to or together with such Produce, relative to the yearly Amount or Value of which Produce there shall be no such Stipulation or Limitation as aforesaid, the said <i>ad valorem</i> Duty shall be charged in respect of such yearly Sum.	

SCHEDULE.	Duty.
LEASE—<i>continued.</i> And where <i>both a certain yearly Sum and also such Produce</i> relative to the yearly Amount or Value of which there shall be such Stipulation or Limitation as aforesaid shall be reserved, the said <i>ad valorem</i> Duty shall be charged on the <i>aggregate</i> of such yearly Sum and also of the highest yearly Amount or Value of such Produce. GENERAL REGULATIONS as to Leases and Tacks : Where, in any of the aforesaid several Cases of Lease or Tack, any Fine, Premium, or Grassum, or any Rent, payable under any Lease or Tack, shall consist wholly or in Part of <i>Corn, Grain, or Victual</i>, the Value of such Corn, Grain, or Victual shall be ascertained or estimated at and after any permanent Rate of Conversion which the Lessee may be specially charged with, or have it in his Option to pay ; and if no such permanent Rate of Conversion shall have been stipulated, then in <i>England and Ireland</i> respectively at and after the Prices, upon an Average of Twelve Calendar Months preceding the First Day of <i>January</i> next before the Date of such Lease or Tack, of the average Prices of <i>British</i> Corn published in the <i>London Gazette</i> in the Manner directed by any Act in force for the Commutation of Tithes in <i>England and Wales</i> ; and in <i>Scotland</i> at and after the <i>Fiars</i> Prices of the County in which the Lands or any Part thereof lie, upon an Average of Seven Years preceding the Date of such Lease or Tack ; and such respective Values shall be deemed and taken to be the Fine, Premium, or Grassum, or yearly Rent, or Part thereof respectively, as the Case may be, in respect whereof the <i>ad valorem</i> Duty shall be charged as aforesaid. And where <i>separate and distinct</i> Fines, Premiums, or Grassums shall be paid to several Lessors, being Joint Tenants, Tenants in Common, or Coparceners, in <i>England or Ireland</i>, or Proprietors <i>pro indiviso</i> in <i>Scotland</i>, who shall by one and the same Deed or Instrument jointly or severally demise or lease the Lands, Tenements, Hereditaments, or Heritable Subjects of which they are such Joint Tenants, Tenants in Common, or Coparceners, in <i>England or Ireland</i>, or Proprietors <i>pro indiviso</i> in <i>Scotland</i>, or	£ s. d.

SCHEDULE.

Duty.

LEASE—*continued.*

£ s. d.

where *separate* and *distinct* Rents shall be by one and the same Deed or Instrument reserved or made payable, or agreed to be reserved or made payable, to the Lessor or to several Lessors, being such Joint Tenants, Tenants in Common, or Coparceners, in *England* or *Ireland*, or Proprietors *pro indiviso* in *Scotland*, the *ad valorem* Duties shall be charged in respect of the *aggregate* Amount of such Fines, Premiums, or Grassums, and of such Rents respectively.

And where any Person, having contracted for, but not having obtained, a Lease of any Lands or other Property, shall contract to sell such Lands or other Property, or any Part thereof, or his Right or Interest therein or thereto, to any other Person, and a Lease shall accordingly be granted to such other Person, the Purchase Money or Consideration which shall be paid or given or agreed to be paid or given to the Person immediately selling to such Lessee shall be set forth in such Lease, and such Lease shall be charged as well with the said *ad valorem* Duty on such Purchase Money or Consideration as with the Duty on the Purchase Money or Consideration or Rent paid or reserved to the Lessor.

LEASE or TACK, of any Kind, *not otherwise charged* - -

1 15 0

Provided always, that no *ad valorem* Duty shall be chargeable in respect of any *penal Rent*, or increased Rent in the Nature of a *penal Rent*, reserved in any such Lease or Tack as aforesaid.

LEASE.—Any ASSIGNMENT or SURRENDER of a Lease or Tack upon any other Occasion than a Sale or Mortgage - -

A Duty equal to the *ad valorem* Duty with which a similar Lease or Tack would be chargeable under this Act.

Provided always, that where a similar Lease or Tack would be chargeable under this Act with any Stamp Duty amounting to L.1, 15s. or upwards, then such Assignment or Surrender shall be chargeable only with a Duty of - - - -

1 15 0

Provided also, that no Stamp Duty, except the said *ad valorem* Duty shall be chargeable for or in respect of any LEASE, whether in Possession, Reversion, or Remainder, expressed to be granted in consideration of the Surrender of an existing Lease and also of a Sum of Money.

SCHEDULE.	Duty.
LEASE—<i>continued.</i> And in all the said several Cases of LEASE or TACK see PROGRESSIVE DUTY.	£ s. d.
MEMORIAL to be registered pursuant to any Act of Parliament made or to be made for the public registering of Deeds and Conveyances in <i>England or Ireland</i>; (that is to say,) For every piece of Vellum, Parchment, or Paper upon which any such Memorial shall be written	0 2 6
MORTGAGE, Conditional Surrender by way of Mortgage, Further Charge, Wadset, and Heritable Bond, Disposition, Assignment, or Tack in Security, and Eik to a Reversion, of or affecting any Lands, Estate, or Property, real or personal, heritable or moveable, whatsoever : Also any Deed containing an Obligation to infeft any Person in an Annual Rent, or in Lands or other Heritable Subjects in <i>Scotland</i>, under a Clause of Reversion, but without any Personal Bond or Obligation therein contained for Payment of the Money or Stock intended to be secured : Also any Conveyance of any Lands, Estate, or Property whatsoever, in trust to be sold or otherwise converted into Money, which shall be intended only as a Security, and shall be redeemable before the Sale or other Disposal thereof, either by express Stipulation or otherwise, <i>except where such Conveyance shall be made for the Benefit of Creditors generally, or for the benefit of Creditors specified, who shall accept the Provision made for Payment of their Debts in full Satisfaction thereof, or who shall exceed Five in Number :</i> Also any Defeasance, Letter of Reversion, Back Bond, Declaration, or other Deed or Writing for defeating or making redeemable or explaining or qualifying any Conveyance, Disposition, Assignment, or Tack of any Lands, Estate, or Property whatsoever, which shall be apparently absolute, but intended only as a Security : Also any Agreement, Contract, or Bond, accompanied with a Deposit of Title Deeds for making a Mortgage, Wadset, or any such other Security or Conveyance as aforesaid of any Lands, Estate, or Property comprised in such Title Deeds, or for pledging or charging the same as a Security : And also any Deed whereby a Real Burden shall be declared or created on Lands or Heritable Subjects in <i>Scotland</i> ; Where the same respectively shall be made as a Security for the Payment of any <i>definite and certain</i> Sum of Money advanced or lent at the Time, or previously due and owing, or forborne to be paid, being payable,	

SCHEDULE.

Duty.

MORTGAGE—*continued.*

	£	s.	d.
Not exceeding L.50, - - - -	0	1	3
Exceeding L.50 and not exceeding L.100, -	0	2	6
Exceeding L.100 and not exceeding L.150, -	0	3	9
Exceeding L.150 and not exceeding L.200, -	0	5	0
Exceeding L.200 and not exceeding L.250, -	0	6	3
Exceeding L.250 and not exceeding L.300, -	0	7	6
And where the same shall exceed L.300, then for every L.100, and also for any fractional Part of L.100, - - - -	0	2	6

And where the same respectively shall be made as a Security for the Repayment of Money *to be thereafter lent, advanced, or paid, or which may become due upon an Account Current*, together with any Sum already advanced or due, or without, as the Case may be, *other than and except any Sum or Sums of Money to be advanced for the Insurance of any Property comprised in such Mortgage or Security against Damage by Fire, or to be advanced for the Insurance of any Life or Lives, or for the Renewal of any Grant or Lease upon the dropping of any Life or Lives, pursuant to any Agreement in any Deed whereby any Estate or Interest held upon such Life or Lives shall be granted, assigned, or assured, or whereby any Annuity shall be granted or secured for such Life or Lives;*

If the total Amount of the Money secured or to be ultimately recoverable thereupon *shall be limited* not to exceed a given Sum

The same Duty as on a Mortgage or Wadset for such limited Sum.

And if the total Amount of the Money secured or to be ultimately recoverable thereupon *shall be uncertain and without any Limit*, then the same shall be available as a Security or Charge for such an Amount only of Money or Stock intended to be thereby secured as the *ad valorem* Duty denoted by any Stamp or Stamps thereon will extend to cover.

And whereby the same respectively shall be made as a Security for the Transfer or Re-transfer of any Share in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of *England*, or of the Bank of *Ireland*, or of the *East India* Company, or of the *South Sea* Company, or of any other Company or Corporation, in consideration of

The same Duty as on a Mortgage or Wadset for a Sum of Money equal to the Value of the Stock or Fund secured according to the average Price thereof on the Day of the

SCHEDULE.	Duty.
MORTGAGE—continued.	£ s. d.
Stock or Money advanced or lent at the Time, or previously due and owing, or foreborne to be paid, being payable - - - -	{ Date of the Mortgage or other Instrument aforesaid, or on either of the Ten Days preceding, or if there shall not have been any known Sale on any of such Days, then on the latest Day preceding on which there shall have been a known Sale.
MORTGAGE. —And where any such Deed or Instrument as aforesaid shall be made respectively as a Security for the Payment of any <i>Rent-charge or Annuity</i> , or any Sum or Sums of Money by way of Repayment, or in Satisfaction or Discharge, or in Redemption of any Sum of Money lent, advanced, or paid, as or for or in the Nature of a Loan intended to be repaid, satisfied, discharged, or redeemed, in manner aforesaid - - - -	{ The same Duty as on a Mortgage or Wadset for the Sum of Money so lent, advanced, or paid.
MORTGAGE. —Any TRANSFER or ASSIGNMENT, Disposition, or Assignment of any Mortgage or Wadset, or of any such other Security as aforesaid, or of the Benefit thereof, or of the Money or Stock thereby secured ;	
Where no further Sum of Money or Stock shall be added to the Principal Money or Stock already secured,	
If such Principal Money or Stock already secured shall not exceed in Amount or Value in the whole the Sum of L.1,400 - - - -	{ The same Duty as on a Mortgage or Wadset for the total Amount or Value of such Principal Money or Stock.
And if such Principal Money or Stock shall exceed in Amount or Value in the whole the Sum of L.1,400 - - - -	1 15 0
And where any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured	{ The same Duty as on a Mortgage or Wadset for such further Money or Stock only.
And in every other Case not herein-before expressly provided for, such Transfer, Assignment, Disposition, or Assignment shall be chargeable with the Duty of -	1 15 0
Provided always, that no such Deed or Instrument as aforesaid shall in any of the said several Cases be chargeable with any further or other Duty than is	
2 G	

SCHEDULE.				Duty.
MORTGAGE— <i>continued.</i>				£ s. d.
herein expressly provided (<i>except progressive Duty,</i>) by reason of its containing any further or additional Security for the Payment or Transfer or Re-transfer of such Money or Stock, or any Interest or Dividends thereon, or any new Covenant, Proviso, Power, Stipulation, or Agreement, or other Matter whatever in relation to such Money or Stock, or the Interest or Dividends thereon, or by reason of its containing all or any of such Matters.				
MORTGAGE.—Any Deed or Instrument made for the <i>further Assurance</i> only of any Estate or Property which shall have been already mortgaged, pledged, or charged as a Security, by any Deed or Instrument which shall have paid the <i>ad valorem</i> Duty on Mortgages or bonds chargeable under any Act or Acts in force at the Time of making such last-mentioned Deed or Instrument.				
Also any Deed or Instrument made as an <i>additional or further Security</i> for any Sum or Sums of Money, or any Share or Shares of any of the Stocks or Funds before mentioned, which shall have been already secured by any Deed or Instrument which shall have paid the said <i>ad valorem</i> Duty on Mortgages or Bonds chargeable as aforesaid, shall be chargeable respectively with the following Duties ; (that is to say,)				
Where the total amount or Value of the Money or Stock already secured, and in respect whereof the said <i>ad valorem</i> Duty shall have been paid, shall not exceed the Sum of L.1,400				The same Duty on a Mortgage or Wadset for the Amount or Value of the said Money or Stock.
And in any other Case				
Provided always, that if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured, such Deed or Instrument for further Assurance, or additional or further Security, either by the Mortgagor or by any Person entitled to the Property mortgaged by Descent, Devise, or Bequest from such Mortgagor, shall be chargeable only (<i>exclusive of progressive Duty</i>) with the <i>ad valorem</i> Duty on Mortgages under this Act, in respect of such further Sum of Money or Stock in lieu of the Duty aforesaid, notwithstanding that the same Deed or Instrument may also contain any Covenant either by the Mortgagor or by any Person entitled as afore-				1 15 0

SCHEDULE.	Duty.
MORTGAGE — <i>continued.</i> said, Proviso, Power, Stipulation, or Agreement, or other Matter whatever in relation to the Money or Stock already secured, or the Interest or Dividends thereon.	£ s. d.
MORTGAGE. —Any RECONVEYANCE, Release, Surrender, Discharge, or Renunciation of any Mortgage or Wadset, or of any other such Security as aforesaid, or of the Benefit thereof, or of the Money or Stock thereby secured ;	
Where the total Amount of the principal Money or Stock at any Time secured shall not exceed the Sum of L.1,400 - - -	The same Duty as on a Mortgage or Wadset for the Amount or Value of the said Money or Stock.
And in any other Case - - - -	1 15 0
And in all the said several Cases of Deeds and Instruments chargeable under the Head of MORTGAGE see PROGRESSIVE DUTY.	
PRECEPT of Clare Constat to give Seisin of Lands or other Heritable Subjects in <i>Scotland</i> - - - -	0 5 0
And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further <i>progressive</i> Duty of -	0 5 0
PROGRESSIVE DUTY ; that is to say ;—Where any Deed or Instrument of any Description whatever chargeable with any Stamp Duty either under this Schedule or under any other Act or Acts now in force, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein, over and above the first 1,080 Words, there shall be charged the further <i>progressive</i> Duty following ; (that is to say,)	
Where such Deed or Instrument shall be chargeable with any <i>ad valorem</i> Stamp Duty or Duties not exceeding in the whole the Sum of Ten Shillings, a further <i>progressive</i> Duty equal to the Amount of such <i>ad valorem</i> Duty or Duties.	
And in every other Case (<i>except where any other progressive Duty is by this Schedule expressly charged thereon.</i>) a further <i>progressive</i> Duty of - - -	0 10 0

SCHEDULE.	Duty.
PROGRESSIVE DUTY — <i>continued.</i>	£ s. d.
Provided always, that nothing herein contained shall extend to charge the said <i>progressive</i> Duty in any Case in which express Provision is made by any such Act or Acts as aforesaid for charging a certain Duty on every Skin, Sheet, or Piece of Vellum, Parchment, or Paper in or upon which any Deed or Instrument shall be contained or written, or to charge with <i>progressive</i> Duty any Description of Deed or Instrument not chargeable with <i>progressive</i> Duty under any Act or Acts now in force, or to charge any Deed or Instrument with any higher Rate or Amount of <i>progressive</i> Duty than is now chargeable on a Deed or Instrument of the like Description under any such Act or Acts as aforesaid.	
RESIGNATION.—Principal or original Instrument of Resignation, or Service of Cognition of Heirs, or Charter or Seisin of any Houses, Lands, or other Heritable Subjects in <i>Scotland</i> holding Burgage or of Burgage Tenure - - - - -	0 5 0
Also Instrument of Resignation of any Lands or other Heritable Subjects in <i>Scotland</i> not of Burgage Tenure	0 5 0
And where any of the said Instruments shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further <i>progressive</i> Duty of - - - - -	0 5 0
SCHEDULE, Inventory, or Catalogue of any Lands, Hereditaments, or Heritable Subjects, or of any Furniture, Fixtures, or other Goods or Effects, or containing the Terms and Conditions of any proposed Sale, Lease, or Tack, or the Conditions and Regulations for the Cultivation or Management of any Farm Lands or other Property leased or agreed to be leased, or containing any other Matter or Matters of Contract or Stipulation whatsoever, <i>which shall be referred to in or by and be intended to be used or given in evidence as Part of or as Material to any Agreement, Lease, Tack, Bond, Deed, or other Instrument charged with any Duty, but which shall be separate and distinct from and not indorsed on or annexed to such Agreement, Lease, Tack, Bond, Deed, or other Instrument ;</i>	
Where any such Schedule, Inventory, or Catalogue shall be so referred to in or by any such Agreement, Lease, Tack, Bond, Deed, or other Instrument chargeable with any Stamp Duty not exceeding 10s., <i>exclusive of progressive Duty</i> -	The same Duty (<i>exclusive of progressive Duty</i>) as shall be so chargeable on such Agreement, Lease, Tack, Bond, Deed, or other Instrument.

SCHEDULE.	Duty.
SCHEDULE— <i>continued.</i>	£ s. d.
And where any such Schedule, Inventory, or Catalogue shall be referred to in or by any Lease, Tack, Bond, Deed, or such other Instrument as aforesaid, chargeable with any Stamp Duty exceeding Ten Shillings, <i>exclusive of progressive Duty</i> - - -	0 10 0
And if in any of the said Cases such Schedule, Inventory, or Catalogue shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words - - -	A further <i>progressive</i> Duty of the same Amount as the Duty hereinbefore charged thereon respectively.
SEISIN.—Instruments of Seisin given upon any Charter, Precept of Clare Constat, or Precept from Chancery, or upon any Wadset, Heritable Bond, Disposition, Apprising, Adjudication, or otherwise of any Lands or Heritable Subjects in <i>Scotland</i> not of Burgage Tenure . - - -	0 5 0
And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words, a further <i>progressive</i> Duty of - -	0 5 0
SETTLEMENT.—Any Deed or Instrument, whether voluntary or gratuitous, or upon any good or valuable Consideration other than a <i>bonâ fide</i> pecuniary Consideration, whereby any <i>definite and certain</i> Principal Sum or Sums of Money, (whether charged or chargeable on Lands or other Hereditaments or Heritable Subjects, or not, or to be laid out in the purchase of Lands or other Hereditaments or Heritable Subjects, or not,) or any <i>definite and certain</i> Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of <i>England</i> , or of the Bank of <i>Ireland</i> , or of the <i>East India</i> Company, or of the <i>South Sea</i> Company, or of <i>any other</i> Company or Corporation, shall be settled or agreed to be settled upon or for the Benefit of any Person or Persons, either in possession or reversion, either absolutely, or for Life or other partial Interest, or in any other Manner whatsoever ;	
If such Sum or Sums of Money, or the Value of such Share or Shares in all or any of the said Stocks or Funds, or of such One or more of the said Articles as shall be so settled or agreed to be settled, or both such Sum or Sums of Money and the Value of One or more of such Articles together, shall not exceed in the whole L.100 - - -	0 5 0
And if the same shall exceed L.100, then for every L.100 and also for any fractional Part of L.100 - - -	0 5 0

SCHEDULE.

Duty.

SETTLEMENT—*continued.*

£ s. d.

And all Deeds or Instruments chargeable with the said *ad valorem* Duty which shall also contain any Settlement of Lands or other Property, or contain any other Matter or Thing besides the Settlement of such Money or Stock, shall be chargeable with such further Stamp Duty as any separate Deed or Instrument containing such Settlement of Lands or other Property, or other Matter or Thing, would have been chargeable with, exclusive of the *progressive* Duty.

And where there shall be more than One such Deed or Instrument for effecting any such Settlement as aforesaid, chargeable with any such Duty or Duties exceeding L.1, 15s., one of them only shall be charged with the said *ad valorem* Duty; and also where any Settlement shall be made in pursuance of any previous Articles chargeable with and which shall have paid any such Duty or Duties exceeding L.1, 15s., such last-mentioned Settlement shall not be chargeable with the said *ad valorem* Duty; and the said Deeds and Instruments respectively not chargeable with the said *ad valorem* Duty shall be charged with the Duty to which the same may be liable under any more general Description in this Schedule, or in the Schedule annexed to the said Act of the Fifty-fifth Year of the reign of King George the Third; and on the whole being produced, duly executed and duly stamped, as hereby required, the latter shall also be stamped with a particular Stamp for denoting or testifying the Payment of the said *ad valorem* Duty.

And see PROGRESSIVE DUTY.

WARRANT OF ATTORNEY (with or without a release of Errors) to confess and enter up a Judgment in any of Her Majesty's Courts at *Westminster* or in *Ireland*, or in any of the Courts of the Counties Palatine of *Lancaster* and *Durham*, or in any other Court of Record holding Pleas, where the Debt or Damage amounts to 40s., which shall be given as a Security for the Payment of any Sum or Sums of Money, or for the Transfer of any Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of *England*, or of the Bank of *Ireland*, or of the *East India* Company or of the *South Sea* Company, or of any other Company or Corporation

The same Duty as on a Bond for the like Purpose.

SCHEDULE.	Duty.
WARRANT OF ATTORNEY— <i>continued.</i>	£ s. d.
<i>Save and except where such Payment or Transfer shall be already secured by a Bond, Mortgage, or other Security which shall have paid the proper ad valorem Duty on Bonds or Mortgages imposed by Law at the Date thereof, exceeding in amount the sum of 5s.; and also except where the Warrant of Attorney shall be given for securing any Sum or Sums of Money exceeding L.200 for which the Person giving the same shall then be in actual Custody under an Arrest on Mesne Process or in Execution; and in those excepted Cases a Duty of</i> - - -	0 5 0
WARRANT OF ATTORNEY <i>not otherwise charged in this Schedule</i> - - - - -	1 15 0

CAP. XCVIII.

An Act to amend the Law relating to the holding of Benefices in Plurality.—[14th August 1850.] (England.)

CAP. XCIX.

An Act for the better assessing and collecting the Poor Rates and Highway Rates in respect of Small Tenements.—[14th August 1850.] (England and Wales.)

CAP. C.

An Act for Inspection of Coal Mines in Great Britain.—[14th August 1850.]

WHEREAS it is expedient that Provision should be made for the Inspection of Coal Mines in *Great Britain*: Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint any fit Person or Persons to be an Inspector or Inspectors of Coal Mines, and from Time to Time to remove any such Inspector

Secretary
of State
may ap-
point In-
spectors of
Mines.

or

or Inspectors; and Notice of the Appointment of every such Inspector shall be published in the *London Gazette*.

Powers
and Duties
of In-
spectors.

II. And be it enacted, That it shall be lawful for any such Inspector as aforesaid to enter, inspect, and examine any Coal Mine or Colliery, and the Works and Machinery belonging thereto, at all reasonable Times and Seasons, by Day or Night, but so as not to impede or obstruct the working of the said Coal Mine or Colliery, and to make Inquiry into and touching the State and Condition of such Coal Mine or Colliery, Works and Machinery, and the Ventilation of such Coal Mine or Colliery, and the Mode of lighting or using Lights in the same, and into all Matters and Things connected with or relating to the Safety of the Persons employed in or about the same; and the Owner or Agent of such Coal Mine or Colliery is hereby required to furnish the Means necessary for such Entry, Inspection, Examination, and Inquiry; and if such Inspector find any Part of such Coal Mine or Colliery, Works or Machinery, or any Aircourses, Airdoors, Waterways, Drains, Pits, Levels, Shafts, or other Matter or Thing in or connected with such Coal Mine or Colliery, or the Mode of lighting or using Lights in the same, to be dangerous or defective, so as in his Opinion to threaten or tend to the bodily Injury of any Person employed in or about such Coal Mine or Colliery, such Inspector shall thereupon summon before him the Manager or principal Colliery Viewer or Agent having charge of the said Coal Mine or Colliery, in order to his being heard upon the Matter giving rise to such finding as aforesaid; and if such Manager or principal Colliery Viewer or Agent shall not attend after reasonable Notice, or having attended shall fail to satisfy such Inspector, then such Inspector shall serve Notice in Writing of the particular Grounds on which he shall be of opinion that the said Colliery or Coal Mine is dangerous or defective, on the Owner or Agent of such Mine, and shall also report the same to One of Her Majesty's Principal Secretaries of State.

Owner to
produce
Map or
Plan of
Mine to
Inspector.

III. And be it enacted, That the Owner or Agent of every Coal Mine or Colliery shall, on the Occasion and for the Purpose of the Inspection and Examination thereof, produce and submit for Examination to any such Inspector as aforesaid a Map or Plan of the Workings of such Coal Mine or Colliery, upon which Map or Plan shall be delineated the several Parts, Aircourses, Airdoors, Waterways, Drains, Pits, Levels, and Shafts in and connected with such Coal Mine or Colliery; and if such Owner or Agent do not produce and submit for Examination as aforesaid such a Map or Plan as aforesaid, or if any such Inspector as aforesaid find that any Portion of any Map or Plan is withheld, or any Part of the Workings of any such

Inspector
may re-
quire Map,
&c. to be
made.

such Mine or Colliery is concealed from his Inspection, or if he find, on examining and verifying any Map or Plan, that the same is imperfect or inaccurate, he is hereby empowered to require that an accurate Map or Plan of the actual Workings of such Coal Mine or Colliery, and the Works thereto belonging, clearly delineating such Matters and Things as aforesaid, be made within a reasonable Time, by and at the Expense of the Owner of such Mine, on a Scale of not less than Two Chains to One Inch, such other Scale as the Plan then used in the Colliery is constructed on; and every such Map or Plan as aforesaid shall show the Workings of the Mine up to within Six Months of the Time of Inspection; and the Owner or Agent of the Coal Mine or Colliery shall, if required so to do by any such Inspector as aforesaid, mark or cause to be marked on such Map or Plan the Progress of the Workings of the Coal Mine or Colliery up to the Time of his Inspection thereof: Provided that nothing herein contained shall be construed to authorize any Inspector to make a Copy of the whole or any Part of a Map or Plan which shall be produced or made.

IV. And be it enacted, That no Person who shall act or practise as a Land Agent, or as a Manager, Viewer, or Agent of, or be otherwise employed in, any Coal Mine, or Colliery, shall act as an Inspector under this Act.

No Land Agent or Manager, &c. of Coal Mine to act as Inspector.

V. And be it enacted, That if and when Loss of Life to any Person employed in or about any Coal Mine or Colliery shall occur by reason of any Accident within such Coal Mine or Colliery, or any Pits or Shafts thereof, or any Works or Machinery connected with such Pits or Shafts, the Owner or Agent of such Coal Mine or Colliery shall, within Twenty-four Hours next after such Loss of Life, send Notice of such Accident, under the Hand of such Owner or Agent, to One of Her Majesty's Principal Secretaries of State, and in *Scotland* to the Lord Advocate, and shall specify in such Notice the probable Cause of such Accident, and such Notice may be sent through the Post Office by Letter addressed to such Secretary of State or Lord Advocate; and such Owner or Agent shall furnish such Information to such Secretary of State or to the Lord Advocate in relation to such Accident as such Secretary of State or Lord Advocate may require; and every Owner or Agent who shall neglect to send or cause to be sent such Notice as aforesaid within the Time aforesaid shall for such Offence be liable to a Penalty of not less than Ten Pounds, and not exceeding Twenty Pounds.

Notice of Accidents in Mines to be given to Secretary of State.

VI. And be it enacted, That every Coroner holding an Inquest upon the Body of any Person whose Death may have been caused by any such Accident as aforesaid shall (unless some

Provision for giving Notice to Secretary

of State of
holding In-
quests on
Deaths
from Acci-
dents in
Coal Mines.

some Person be present on behalf of One of Her Majesty's Principal Secretaries of State to watch the Proceedings at such Inquest, or Notice of such Accident shall have been sent, Two Days at the least previously thereto, through the Post Office, by Letter addressed to One of such Secretaries of State, and the sending of the same be proved to the Satisfaction of the Coroner,) adjourn such Inquest, and by Letters sent Two Days at the least before holding such adjourned Inquest through the Post Office, addressed to One of such Secretaries of State, give Notice to such Secretary of State of the Time and Place of holding the same.

Penalty for
obstructing
Inspectors.

VII. And be it enacted, That every Owner or Agent of any Coal Mine or Colliery who shall refuse or neglect to furnish to any Inspector appointed under this Act the Means necessary for making any Entry, Inspection, Examination, or Inquiry under this Act, and every Person who shall wilfully obstruct any such Inspector in the Execution of this Act, shall for every such Offence be liable to a Penalty of not less than Five Pounds and not exceeding Ten Pounds.

Penalties
how re-
coverable.

VIII. And be it enacted, That all Penalties imposed by this Act may be recovered in a summary Manner before Two Justices of the Peace, or in *Scotland* before the Sheriff, having Jurisdiction in the County or Place where the Offence is committed in the Manner prescribed by the Law in that Behalf; and it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct that any Penalty imposed for neglecting to send or cause to be sent Notice of any Accident as required by this Act shall be paid to or among any of the Family or Relatives of any Person or Persons killed by such Accident as he may think fit; and, save as aforesaid, all Penalties imposed by this Act shall when recovered in *England*, be paid to the Treasurer of the County, Riding, Division, or Place for which the Justices before whom the Penalty is recovered shall have acted, and where recovered in *Scotland* be paid to the Treasurer or Collector of the Funds for the Poor of the Parish in which the Offence has been committed, for the Benefit of the Poor of such Parish.

Interpreta-
tion of
Terms.

IX. And be it enacted, That in the Construction of this Act, unless such Construction be repugnant to or inconsistent with the Context, Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females; and the Term "Owner" of a Coal Mine or Colliery shall mean the immediate Proprietor, Lessee, or Occupier thereof; and the Term "Agent" of a Mine shall mean any Person having on behalf of the Owner of any Mine the Care or Direction thereof.

X. And

X. And be it enacted, That this Act shall not extend to *Ireland.* Act not to extend to Ireland.

XI. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament. Act may be amended, &c.

XII. And be it enacted, That this Act shall continue until the Expiration of Five Years after the passing of this Act, and thenceforth until the End of the then next Session of Parliament. Continuance of this Act.

CAP. CI.

An Act to continue Two Acts passed in the Twelfth and Thirteenth Years of the Reign of Her Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor.—[14th August 1850.]

CAP. CII.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise a summary Jurisdiction in Ireland.—[14th August 1850.]

CAP. CIII.

An Act to authorize further Charges on "The London Bridge Approaches Fund" for the Completion of certain Improvements in the Metropolis.—[14th August 1850.]

CAP. CIV.

An Act to extend and amend the Acts relating to the Copyright of Designs.—[14th August 1850.]

WHEREAS it is expedient to extend and amend the Acts relating to the Copyright of Designs: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

I. That the Registrar of Designs, upon Application by or on behalf of the Proprietor of any Design not previously published Certain Designs may be within

registered
provision-
ally for
One Year.

within the United Kingdom of Great Britain and Ireland or elsewhere, and which may be registered under the Designs Act, 1842, or under the Designs Act, 1843, for the provisional Registration of such Design under this Act, and upon being furnished with such Copy, Drawing, Print, or Description in Writing or in Print as in the Judgment of the said Registrar shall be sufficient to identify the particular Design in respect of which such Registration is desired, and the Name of the Person claiming to be Proprietor, together with his Place of Abode or Business, or other Place of Address, or the Style or Title of the Firm under which he may be trading, shall register such Design in such Manner and Form as shall from Time to Time be prescribed or approved by the Board of Trade; and any Design so registered shall be deemed "provisionally registered," and the Registration thereof shall continue in force for the Term of One Year from the Time of the same being registered as aforesaid; and the said Registrar shall certify, under his Hand and Seal of Office, in such Form as the said Board shall direct or approve, that the Design has been provisionally registered, the Date of such Registration, and the Name of the registered Proprietor, together with his Place of Abode or Business, or other Place of Address.

Benefits
conferred
by pro-
visional
Registra-
tion.

II. That the Proprietor of any Design which shall have been provisionally registered shall, during the Continuance of such Registration, have the sole Right and Property in such Design; and the Penalties and Provisions of the said Designs Act, 1842, for preventing the Piracy of Designs, shall extend to the Acts, Matters, and Things next herein-after enumerated as fully as if those Penalties and Provisions had been re-enacted in this Act, and expressly extended to such Acts, Matters, and Things respectively; that is to say,

1. To the Application of any provisionally registered Design, or any fraudulent Imitation thereof, to any Article of Manufacture or to any Substance.
2. To the Publication, Sale, or Exposure for Sale of any Article of Manufacture or any Substance to which any provisionally registered Design shall have been applied.

The Ex-
hibition of
provision-
ally regis-
tered De-
signs in
certain
Places not
to defeat
Copyright,
&c.

III. That during the Continuance of such provisional Registration neither such Registration nor the Exhibition or Exposure of any Design provisionally registered, or of any Article to which any such Design may have been or be intended to be applied, in any Place, whether public or private, in which Articles are not sold or exposed or exhibited for Sale, and to which the Public are not admitted gratuitously, or in any Place which shall have been previously certified by the Board of Trade to be a Place of Public Exhibition within the Meaning of this Act, nor the Publication of any Account or Description

Description of any provisionally registered Design exhibited or exposed or intended to be exhibited or exposed in any such Place of Exhibition or Exposure in any Catalogue, Paper, Newspaper, Periodical, or otherwise, shall prevent the Proprietor thereof from registering any such Design under the said Designs Acts at any Time during the Continuance of the provisional Registration, in the same Manner and as fully and effectually as if no such Registration, Exhibition, Exposure, or Publication had been made; provided that every Article to which any such Design shall be applied, and which shall be exhibited or exposed by or with the Licence or Consent of the Proprietor of such Design, shall have thereon or attached thereto the Words "provisionally registered" with the Date of Registration.

IV. That if during the Continuance of such provisional Registration the Proprietor of any Design provisionally registered shall sell, expose, or offer for Sale any Article, Substance, or Thing to which any such Design has been applied, such provisional Registration shall be deemed to have been null and void immediately before any such Sale, Offer, or Exposure shall have been first made; but nothing herein contained shall be construed to hinder or prevent such Proprietor from selling or transferring the Right and Property in any such Design.

V. That the Board of Trade may by Order in Writing with respect to any particular Class of Designs or any particular Design, extend the Period for which any Design may be provisionally registered under this Act, for such Term not exceeding the additional Term of Six Months as to the said Board may seem fit; and whenever any such Order shall be made, the same shall be registered in the Office for the Registration of Designs, and during the extended Term the Protection and Benefits conferred by this Act in case of provisional Registration shall continue as fully as if the original Term of One Year had not expired.

VI. That the Registrar of Designs, upon Application by or on behalf of the Proprietor of any Sculpture, Model, Copy, or Cast within the Protection of the Sculpture Copyright Acts, and upon being furnished with such Copy, Drawing, Print, or Description, in Writing or in Print, as in the Judgment of the said Registrar shall be sufficient to identify the particular Sculpture, Model, Copy, or Cast in respect of which Registration is desired, and the Name of the Person claiming to be Proprietor, together with his Place of Abode or Business or other Place of Address, or the Name, Style, or Title of the Firm under which he may be trading, shall register such Sculpture, Model, Copy, or Cast in such Manner and Form as shall from Time to Time be prescribed or approved by the

Sale of Articles to which provisionally registered Designs, &c. have been applied to defeat Copyright, but Design itself may be sold.

Extension of Period of provisional Registration by Board of Trade.

Registration of Sculpture, Models, &c.

the Board of Trade for the whole or any Part of the Term during which Copyright in such Sculpture, Model, Copy, or Cast may or shall exist under the Sculpture Copyright Acts; and whenever any such Registration shall be made, the said Registrar shall certify under his Hand and Seal of Office, in such Form as the said Board shall direct or approve, the Fact of such Registration, and the Date of the same, and the Name of the registered Proprietor, or the Style or Title of the Firm under which such Proprietor may be trading, together with his Place of Abode or Business or other Place of Address.

Benefits
conferred
by Regis-
tration of
Sculpture,
&c.

VII. That if any Person shall, during the Continuance of the Copyright in any Sculpture, Model, Copy, or Cast which shall have been so registered as aforesaid, make, import, or cause to be made, imported, exposed for Sale, or otherwise disposed of, any pirated Copy or pirated Cast of any such Sculpture, Model, Copy, or Cast, in such Manner and under such Circumstances as would entitle the Proprietor to a special Action on the Case under the Sculpture Copyright Acts, the Person so offending shall forfeit for every such Offence a Sum not less than Five Pounds and not exceeding Thirty Pounds to the Proprietor of the Sculpture, Model, Copy, or Cast whereof the Copyright shall have been infringed; and for the Recovery of any such Penalty the Proprietor of the Sculpture, Model, Copy, or Cast which shall have been so pirated shall have and be entitled to the same Remedies as are provided for the Recovery of Penalties incurred under the Designs Act, 1842: Provided always, that the Proprietor of any Sculpture, Model, Copy, or Cast which shall be registered under this Act shall not be entitled to the Benefit of this Act, unless every Copy or Cast of such Sculpture, Model, Copy, or Cast which shall be published by him after such Registration shall be marked with the Word "registered," and with the Date of Registration.

Designs for
ornament-
ing Ivory,
&c. may be
registered
under Do-
signs Act,
1842, for
Three
Years.

VIII. That Designs for the ornamenting of Ivory, Bone, Papier Maché, and other solid Substances not already comprised in the Classes numbered 1, 2, or 3 in the Designs Act, 1842, shall be deemed and taken to be comprised within the Class numbered 4 in that Act, and such Designs shall be so registered accordingly.

Board of
Trade may
extend
Copyright
in Orna-
mental
Designs.

IX. That the Board of Trade may from Time to Time order that the Copyright of any Class of Designs or any particular Design registered or which may be registered under the Designs Act, 1842, may be extended for such Term, not exceeding the additional Term of Three Years, as the said Board may think fit, and the said Board shall have Power to revoke or alter any such Order as may from Time to Time appear necessary; and whenever any Order shall be made by the said Board under this Provision, the same shall be registered in
the

the Office for the Registration of Designs; and during the extended Term the Protection and Benefits conferred by the said Designs Acts shall continue as fully as if the original Term had not expired.

X. That the Board of Trade may from Time to Time make, alter, and revoke Rules and Regulations with respect to the Mode of Registration, and the Documents and other Matters and Particulars to be furnished by Persons effecting Registration and provisional Registration under the said Acts and this Act: Provided always, that all such Rules and Regulations shall be published in the "*London Gazette*," and shall forthwith upon the issuing thereof be laid before Parliament, if Parliament be sitting, and if Parliament be not sitting, then within Fourteen Days after the Commencement of the then next Session; and such Rules and Regulations, or any of them, shall be published or notified by the Registrar of Designs in such other Manner as the Board of Trade shall think fit to direct.

Regulations for the Registration of Designs may be made by Board of Trade.

XI. That if in any Case in which the Registration of a Design is required to be made under either of the said Designs Acts it shall appear to the Registrar that Copies, Drawings, or Prints as required by those Acts cannot be furnished, or that it is unreasonable or unnecessary to require the same, the said Registrar may dispense with such Copies, Drawings, or Prints, and may allow in lieu thereof such Specification or Description in Writing or in Print as may be sufficient to identify and render intelligible the Design in respect of which Registration is desired; and whenever Registration shall be so made in the Absence of such Copies, Drawings, or Prints, the Registration shall be as valid and effectual to all Intents and Purposes as if such Copies, Drawings, or Prints had been furnished.

Registrar of Designs may dispense with Drawings, &c. in certain Cases.

XII. That in order to prevent the frequent and unnecessary Removal of the public Books and Documents in the Office for the Registration of Designs, no Book or Document in the said Office shall be removed for the Purpose of being produced in any Court or before any Justice of the Peace, without a special Order of a Judge of the Court of Chancery, or of One of Her Majesty's Superior Courts of Law, first had and obtained by the Party who shall desire the Production of the same.

Public Books and Documents in the Designs Office not to be removed without Judge's Order.

XIII. That if Application shall be made to a Judge of any of Her Majesty's Courts of Law at *Westminster* by any Person desiring to obtain a Copy of any Registration, Entry, Drawing, Print, or Document, of which such Person is not entitled as of Right to have a Copy, for the Purpose of being used in Evidence in any Cause, or otherwise howsoever, and if such

Judges may order Copies of Documents to be furnished to be given in Evidence.

Judge

Judge shall be satisfied that such Copy is *bonâ fide* intended for such Purpose as aforesaid, such Judge shall order the Registrar of Designs to deliver such Copy to the Party applying, and the Registrar of Designs shall, upon Payment for the same of such Fee or Fees as may be fixed according to the Provisions of the said Designs Act in this Behalf, deliver such Copy accordingly.

Copies of Documents delivered by the Registrar to be sealed, and to be Evidence.

XIV. That every Copy of any Registration, Entry, Drawing, Print, or Document delivered by the Registrar of Designs to any Person requiring the same shall be signed by the said Registrar, and sealed with his Seal of Office; and every Document sealed with the said Seal, purporting to be a Copy of any Registration, Entry, Drawing, Print, or Document, shall be deemed to be a true Copy of such Registration, Entry, Drawing, Print, or Document, and shall, without further Proof, be received in Evidence before all Courts in like Manner and to the same Extent and Effect as the original Book, Registration, Entry, Drawing, Print, or Document, would or might be received if tendered in Evidence, as well for the Purpose of proving the Contents, Purport, and Effect of such Book, Registration, Entry, Drawing, Print, or Document, as also proving the same to be a Book, Registration, Entry, Drawing, Print, or Document, of or belonging to the said Office, and in the Custody of the Registrar of Designs.

Certain Provisions of Designs Acts, 1842 and 1843, extended to this Act.

XV. That the several Provisions contained in the said Designs Acts (so far as they are not repugnant to the Provisions of this Act) relating to the Transfer of Designs, to cancelling and amending Registration, to the Refusal of Registration in certain Cases, to the Mode of recovering Penalties, to the awarding and Recovery of Costs, to Actions for Damages, to the Limitation of Actions, to the Certificate of Registration, to Penalties for wrongfully using Marks, to the fixing and Application of Fees for Registration, and to the Penalty for Extortion, shall apply to the Registration, provisional Registration, and Transfer of Designs, Sculptures, Models, Copies, and Casts, and to the Designs, Sculptures, Models, Copies, and Casts entitled to Protection under this Act, and to Matters under this Act, as fully and effectually as if those Provisions had been re-enacted in this Act with respect to Designs, Sculptures, Models, Copies, and Casts registered and provisionally registered under this Act; and the Forms contained in the Designs Act, 1842, may for the Purposes of this Act be varied so as to meet the Circumstances of the Case.

Interpretation of Terms.

XVI. That in the Interpretation of this Act the following Terms and Expressions shall have the Meanings herein-after assigned to them, unless such Meanings shall be repugnant to

to or inconsistent with the Context or Subject Matter: that is to say,

The Expression "Designs Act, 1842," shall mean an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture*:

The Expression "Designs Act, 1843," shall mean an Act passed in the Seventh Year of Her present Majesty, intituled *An Act to amend the Laws relating to the Copyright of Designs*:

The Expression "Sculpture Copyright Acts," shall mean Two Acts passed respectively in the Thirty-eighth and Fifty-fourth Years of the Reign of King George the Third, and intituled respectively *An Act for encouraging the Art of making new Models and Casts of Busts and other Things herein mentioned*, and *An Act to amend and render more effectual an Act for encouraging the Art of making new Models and Casts of Busts and other Things therein mentioned*:

The Expression "The Board of Trade" shall mean the Lords of the Committee of Privy Council for the Consideration of all Matters of Trade and Plantations:

The Expression "Registrar of Designs" shall mean the Registrar or Assistant Registrar of Designs for Articles of Manufacture:

The Expression "Proprietor" shall be construed according to the Interpretation of that Word in the said Designs Act, 1842:

And Words in the Singular Number shall include the Plural, and Words applicable to Males shall include Females.

XVII. That in citing this Act in other Acts of Parliament and in any Instrument, Document, or Proceeding, it shall be sufficient to use the Words and Figures following, that is to say, "The Designs Act, 1850." Short Title.

CAP. CV.

An Act for facilitating the Union of Liberties with the Counties in which they are situate.—[14th August 1850.] (England and Wales.)

CAP. CVI.

An Act to continue, for a Time to be limited, an Act of the Eleventh Year of Her present Majesty, for the better

better Prevention of Crime and Outrage in certain Parts of Ireland.—[14th August 1850.]

CAP. CVII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and fifty; and to appropriate the Supplies granted in this Session of Parliament.—[15th August 1850.]

CAP. CVIII.

An Act for confirming certain further Provisional Orders of the General Board of Health.—[15th August 1850.] (England.)

CAP. CIX.

An Act to enlarge and extend the Powers of an Act of the Ninth and Tenth Years of Her present Majesty, intituled An Act to enable the Commissioners of Her Majesty's Woods to construct a new Street from Spitalfields to Shoreditch.—[15th August 1850.]

CAP. CX.

An Act to continue the Act for amending the Laws relating to Savings Banks in Ireland.—[15th August 1850.]

CAP. CXI.

An Act to relieve the Chester and Holyhead Railway Company from contributing towards the Expense of the proposed new Harbour at Holyhead, and to take away the Powers of the said Company in relation to such Harbour.—[15th August 1850.]

CAP. CXII.

An Act to vest in the Commissioners of Public Works in Ireland certain Works and Rights of the Lough Corrib Improvement Company, and to compensate such Company for the same.—[15th August 1850.]

CAP. CXIII.

CAP. CXIII.

An Act to authorize the Transfer of Loans for the Improvement of Land in Ireland to other Land.—[15th August 1850.]

CAP. CXIV.

An Act to repeal the Stamp Duties on Proceedings in the Courts of Law in Ireland, and to grant certain other Stamp Duties in lieu thereof.—[15th August 1850.]

CAP. CXV.

An Act to consolidate and amend the Laws relating to Friendly Societies.—[15th August 1850.]

WHEREAS many Societies have been established in Great Britain and Ireland for the Purpose of affording Relief and Maintenance to the Members thereof in Sickness, old Age, or Infirmary, and for other Purposes of a provident and benevolent Nature; and it is expedient to amend the Laws relating to such Friendly Societies, and to make further Provision for Protection of the Members against Fraud and Misapplication of their Funds, and to consolidate the same in One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Tenth Year of His late Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to Friendly Societies*; and also an Act passed in the Second Year of His late Majesty King William the Fourth, intituled *An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, by extending the Time within which pre-existing Societies must conform to the Provisions of that Act*; and also an Act passed in the Fourth and Fifth Years of His late Majesty King William the Fourth, intituled *An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies*; and also an Act passed in the Session of Parliament held in the Third and Fourth Years

Repeal of
10 G. 4. c.
56.
2 & 3 W.
4. c. 37.
4 & 5 W.
4. c. 40.

3 & 4 Vict.
c. 73.

9 & 10
Vict. c. 27.

Objects
for which
Friendly
Societies
may be
establish-
ed.

Years of Her present Majesty, intituled *An Act to explain and amend the Acts relating to Friendly Societies*; and also an Act passed in the Session of Parliament held in the Ninth and Tenth Years of Her present Majesty, intituled *An Act to amend the Laws relating to Friendly Societies*, shall be and the same are hereby repealed, except so far as any of the said Acts repeal the whole or any Part of any other Acts, and except so far as the same may be applicable to any Benefit Building Society established under an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth: Provided nevertheless, that such Repeal shall not invalidate or affect anything which has been done before the passing of this Act in pursuance of any of the said Acts: Provided also, that the Provisions of the said Acts, except as herein-after provided, shall continue in force, as to all Societies established under any or either of them before the passing of this Act.

II. And be it enacted, That it shall be lawful for any Number of Persons to establish a Society or Branch of the same under the Provisions of this Act, for the Purpose of raising by voluntary Subscriptions of the Members thereof, with or without the Aid of Donations, a Fund for any of the following Objects; that is to say,

1. For insuring a Sum of Money to be paid, on the Death of a Member, to the Widower or Widow of a Member, as the Case may be, or to the Child, or to the Executors, Administrators, or Assigns, of such Member, or for defraying the Expense of the Burial of a Member, or of the Husband, Wife, Child, or Kindred of a Member; subject always to the Restrictions herein-after enacted in that Behalf:

2. For the Relief, Maintenance, or Endowment of the Members, their Husbands, Wives, Children, or Kindred, in Infancy, old Age, Sickness, Widowhood, or any other natural State of which the Probability may be calculated by way of Average:

3. For insuring or making good any Loss or Damage of live or dead Stock, Goods, or Stock in Trade, Implements, and Tools, sustained by any Member by Fire, Flood, Shipwreck, or any Contingency of which the Probability may be calculated by way of Average:

4. For the frugal Investment of the Savings of the Members for better enabling them to purchase Food, Firing, Clothes, or other Necessaries, or the Tools, Implements, or Materials, of their Trade or Calling, or to provide for the Education of their Children or Kindred: Provided, that the Shares in any such Investment Society shall

shall not be transferable, and that the Investment of each Member shall accumulate or be employed for the sole Benefit of the Member investing, or of the Husband, Wife, Children, or Kindred of such Member, and that no Part thereof shall be appropriated to the Relief, Maintenance, or Endowment of any other Person whomsoever; and that the whole Amount of the Balance due, according to the Rules of such Society, to such Member, shall be paid to him or her on withdrawing from such Society :

5. For the Purpose of enabling any Member, or the Husband, Wife, or Children, or Nominee, of such Member, to emigrate; provided that, in case of any Society for that Purpose, One of the Trustees shall be a Justice of the Peace residing in and acting for the County, Borough, or Place in which such Society shall be established :

6. For any Purpose which shall be certified to be legal in *England or Ireland* by Her Majesty's Attorney General, or in *Scotland* by the Lord Advocate, as a Purpose to which the Powers and Facilities of this Act ought to be extended :

Provided always, that it shall not be lawful for any Society or Branch established under this Act to assure the Payment to or on the Death of any Member, or on any Contingency, or for any of the Purposes for which the Payment of Sums may be assured under this Act, of any Sum exceeding One hundred Pounds, nor any Annuity exceeding Thirty Pounds *per Annum*, nor a Sum in Sickness exceeding Twenty Shillings *per Week*.

Act limited to Societies not assuring above 100*l.*, or Annuity of 30*l.*, or Allowance of 20*s.* per Week in Sickness.

III. And be it enacted, That in all Societies established under the Provisions of this Act, or of any Act relating to Friendly Societies, it shall not be lawful for the Trustees or other Officers of such Societies to assure a Sum of Money to be paid on the Death of a Child, whether a Member of such Society or not, under the Age of Ten Years, except the actual Funeral Expenses, not exceeding Three Pounds in case of such Child, to be paid to the Undertaker or Person by whom the Burial is conducted, and whose Receipt alone shall be sufficient Discharge to the Society, nor to pay any Sum of Money which may have been insured and become payable on the Death of any Member thereof, or of the Husband, Wife, or Child of any Member, unless the Party applying for the same shall produce and deliver to the Officer a Certificate, signed by a Physician, Surgeon, Apothecary, or Coroner, in the Form (D.) set forth in the Schedule to this Act annexed, except in Cases where from the Nature of the Circumstances it is impossible to procure such Certificate; and if any Officer of such Society shall pay or cause to be paid such Sum of Money as aforesaid without such Certificate as aforesaid, such Officer shall be liable to a Penalty not exceeding Ten Pounds, to be recoverable before

No Sum to be paid on the Death of a Child except for Funeral.

Certificate of Surgeon or Coroner required before Money is paid on Death of a Member.

before any Justice of the Peace or Magistrate of any Borough where such Society is established; and, upon Conviction thereof, one Half of the said Penalty shall be paid to the Informer, and he is hereby declared to be competent to give Evidence in this Case, and the other Half shall be paid to the Overseer of the Parish in which the Place of Business of such Society or Branch is situated, to be applied to the Relief of the Poor therein :

Power to
repeal or
alter
Rules, and
appoint
Committee
and Offi-
cers.

IV. And be it enacted, That it shall be lawful for the Persons intending to establish under the Provisions of this Act a Friendly Society or Branch thereof to make or adopt Rules for the Government and Guidance of the same, and to make such Provision in the Rules as they shall think fit, for ordaining, repealing, altering, or amending any Rules, and to impose reasonable Fines and Forfeitures on any Member offending against the Regulations of the same, and to form a General Committee or Board of Management, and to delegate to the same all or any of the Powers given by this Act, to be executed either with respect to the Management of the Society or Branch, or the Enactment, Amendment, Repeal, or Alteration of the Rules thereof; and in such Rules there shall distinctly be set forth,

1. The Name and Designation of such Society or Branch, and Place where the Business thereof is carried on, the whole of the Objects and Intentions for which it is founded, the whole of the Purposes to which the Funds thereof are applicable according to the Rules and Tables thereof, and the Conditions under which any Member, or Party claiming under or by a Member, may become entitled to any Benefit assured thereby :

2. The Manner of making, repealing, or altering Rules, of appointing Trustees, a Treasurer, and an Officer who shall keep the Books and Accounts, and prepare the Returns required by this Act, a General Board or Committee of Management, and the Duties and Powers of each :

3. The Mode in which the Funds shall be invested :

4. The Manner in which Disputes between the Society or Branch, and any Member thereof, or Person claiming on account or through any Member, shall be settled.

Separate
Accounts
to be kept
of Money
paid and
received
for each
particular
Fund or
Benefit.

V. Provided always, and be it enacted, That the Rules of every such Society or Branch shall provide that all Monies received or paid on account of each and every particular Fund or Benefit assured to the Members thereof, their Husbands, Wives, Children, or Kindred, for which a separate Table of Contributions payable shall have been adopted, shall be entered in a separate Account distinct from the Monies received and paid on account of any other Benefit or Fund.

VI. And

VI. And be enacted, That such Society or Branch shall not be deemed to be legally established under this Act, nor be entitled to any of the Provisions of the same, unless the Rules and every Amendment of Rules or Tables made from Time to Time thereof shall have been duly certified by the Registrar as herein-after provided.

Society or
Branch
not legally
established
till Rules
certified.

VII. And be it enacted, That Two printed or written Copies of all Rules and Tables adopted by such Society or Branch, together with the Name and Residence of every Trustee thereof, signed by Three Members, and countersigned by the Clerk or Steward or other Officer, with all convenient Speed after the same shall be made, altered, or amended, and so from Time to Time after every making, altering, or amending thereof, shall be transmitted to the Registrar of Friendly Societies in *England, Scotland, or Ireland*, as the Case may be; and so soon as the said Registrar shall find the said Rules to be framed in conformity with Law, and that no Rule or Part thereof is repugnant to another, and that the same are reasonable and proper, he shall register the same; and if such Rules and Tables have been certified under the Hand of the Actuary to the Commissioners for Reduction of the National Debt, or by some other Actuary who shall have been for more than Five Years an Actuary of some Life Assurance Company established in *London, Edinburgh, or Dublin*, in the Form set forth in Schedule (C.) to this Act annexed, and signed by him at the Foot both of the Rules and Tables, or shall have been furnished to such Society or Branch by the Registrar, the Registrar shall give a Certificate in the Form set forth in Schedule (B.) to this Act annexed, and such Society or Branch shall be denominated Certified Friendly Society; but if such Rules and Tables shall not have been so certified by an Actuary as above mentioned, in such Case the Registrar shall give a Certificate in the Form set forth in Schedule (A.) to this Act annexed, and such Society or Branch shall be denominated Registered Friendly Society; and the Registrar shall return One of the Copies to the Society or Branch, and shall keep the other in such Manner as shall be from Time to Time directed by One of Her Majesty's Principal Secretaries of State; and all Rules, Alterations, or Amendments thereof, when certified as afore-said, shall be binding on the several Members, and all Persons claiming by or under them.

Registrar
to give
Certificate.

Certified
Friendly
Societies.

Registered
Societies.

VIII. Provided always, and be it enacted, That it shall not be lawful for the Registrar to grant any Certificate to any Society assuring to any Member thereof a certain Annuity, deferred or immediate, unless the Tables of Contributions payable for such Kind of Assurance shall have been certified

Societies
granting
Annuities
to have
Tables
of such
certified

Annuities
certified
by Actu-
ary.

Fees to
be paid
to Regis-
trar for
Certifi-
cates.

Appoint-
ment and
Salary of
Registrar.

Treasurer
to give
Bond.

tified by an Actuary as aforesaid or furnished by the Registrar.

IX. And be it enacted, That for every such Certificate of Rules of any Friendly Society a Fee of One Guinea shall be paid to the Registrar, and for every Certificate of Rules of any Branch of such Society a Fee of Two Shillings and Sixpence; and for every Certificate of Amendment, Repeal, or Alteration of Rules of any Society or Branch a Fee of Two Shillings and Sixpence shall be paid to the Registrar.

X. And be it enacted, That the future Registrars of Friendly Societies in *England*, *Scotland*, and *Ireland* respectively shall be appointed by the Commissioners for the Reduction of the National Debt, and shall hold Office during the Pleasure of the said Commissioners; and it shall be lawful for Her Majesty to grant to the Registrar in *England* already appointed a Salary not exceeding One Thousand Pounds by the Year, and to every Registrar in *England* hereafter to be appointed a Salary not exceeding Eight Hundred Pounds by the Year, and to every Registrar in *Ireland* and *Scotland* respectively already or to be hereafter appointed such a Salary as to the Commissioners of Her Majesty's Treasury shall seem meet, and every such Salary shall be paid by Four equal quarterly Payments; and any Registrar who shall be appointed, or shall die, resign, or be removed from his Office, in the Interval between Two quarterly Days of Payment, shall be entitled to a Part of the Salary proportional to that Part of such Quarter of a Year during which he shall hold his Appointment.

XI. And be it enacted, That every Treasurer of any Society or Branch established under the Provisions of this Act, before he shall be admitted to take upon him the Execution of any such Office, shall become bound in a Bond according to the Form set forth in Schedule (E.) to this Act annexed, with Two sufficient Sureties, for the just and faithful Execution of such Office, and for rendering a just and true Account according to the Rules of such Society or Branch, in such penal Sum of Money as by the Trustees or Board of Management shall be deemed expedient; and every such Bond to be given by or on behalf of such Officer shall be given to the Trustees of the said Society or Branch for the Time being; and in case of Forfeiture it shall be lawful to sue upon such Bond in the Name of the Trustees for the Time being, for the use of the said Society or Branch; provided that such Bond shall have in *Scotland* the same Force and Effect as a Bond in the Form in use in *Scotland* containing a Clause of Registration.

XII. And

XII. And be it enacted, That the Trustees or Treasurer for the Time being of any such Society or Branch, or of any Society already established under any of the Acts relating to Friendly Societies, shall and they are hereby required, from Time to Time, by and with the Consent of such Society or Branch, to be had and testified in such Manner as the Rules shall direct, to lay out and invest such Part of all Sums of Money as shall at any Time be collected, given, or paid to and for the Purposes of such Society, as may not be wanted for the immediate Use thereof, or to meet the usual accruing Liabilities of such Society or Branch, in the Names of such Trustees, in any Savings Banks, subject to the Provisions of Acts in force relating to the same, or in any of the Parliamentary Stocks or Public Funds of *Great Britain* or *Ireland*, or at Interest upon Government Securities, or in Bank of *England* Stock, or in the Stock or Securities of the Honourable *East India* Company, or on Mortgage of Freehold, Leasehold, or Copyhold Property, such Leasehold being for a Term of Years absolute of which not less than Thirty Years shall be unexpired, and such Copyhold being Copyhold of Inheritance, in *Great Britain* or *Ireland*, or on Security of any Heritable Property, or in any chartered or other public Joint Stock Bank in *Scotland*, or in or upon the Security of any County or Borough Rates authorized to be levied and mortgaged by any Act of Parliament, or on Loan to any Member of any such Society on the Security of any Policy of Assurance effected on his own Life, provided that the Amount of such Loan shall not exceed the actual estimated Value of such Policy at the Time such Loan be made; and from Time to Time, with such Consent as aforesaid, to alter and transfer such Securities and Funds, and to make Sale thereof respectively; and all Dividends, Interests, and Proceeds which shall from Time to Time arise from the Monies so laid out or invested as aforesaid shall be brought to account by such Trustees, and shall be applied to and for the Use of such Society or Branch, according to the Rules thereof: Provided always, that it shall be lawful for the Trustees or Treasurer as aforesaid, with the Consent of such Society or Branch as aforesaid, to purchase, hire, or take upon Lease any Room or Premises for the Purpose of holding therein the Meetings of such Society or Branch, or for the Transaction of Business relating thereto, and to hold the same in trust in and for the Use of such Society or Branch, and to sell, exchange, let, and demise the same in whole or in Part with the Consent as aforesaid.

Trustees,
&c. to in-
vest Funds.

XIII. And be it enacted, That all Hereditaments, Monies, Goods, Chattels, and Effects whatever, and all Titles, Securities for Money, or other obligatory Instruments and Evidences or Muniments, and all Rights or Claims, belonging to or had

Property
vested in
Trustees.

by

by such Society or Branch, shall be vested in the Trustees or Trustee for the Time being of the same, for the Use and Benefit of such Society or Branch, and the respective Members thereof, their respective Executors or Administrators, according to their respective Claims and Interests, and after the Death or Removal of any Trustees or Trustee shall vest in the succeeding Trustees or Trustee for the same Estate and Interest as the former Trustees or Trustee had therein, and subject to the same Trusts, without any Conveyance or Assignment whatever, except the Transfer of Stocks and Securities in the Public Funds of *Great Britain and Ireland*; and also shall, for all Purposes of Action or Suit, as well criminal as civil, in Law or in Equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such Proceeding (where necessary) be stated to be, the Property of the Person or Persons appointed to the Office of Trustee of such Society for the Time being, in his or their proper Name or Names, without further Description; and such Persons or Person shall and they are hereby respectively authorized to bring or defend, or cause to be brought or defended, any Action, Suit, or Prosecution, criminal as well as civil, in any Court of Law or Equity, touching or concerning the Property, Right, or Claim aforesaid of or belonging to or had by such Society or Branch; and such Persons shall and may in all Cases concerning the Property, Right, or Claim aforesaid of such Society, sue and be sued, plead and be impleaded, in any Court of Law or Equity, in their or his proper Names or Name, as Trustees or Trustee of such Society or Branch, without other Description; and no such Suit, Action, or Prosecution shall be discontinued or abate by the Death of such Person or his Removal from the Office of Trustee, but the same shall and may be proceeded in by the succeeding Trustees or Trustee in the proper Name of the Person commencing the same, and such succeeding Trustees or Trustee shall pay or receive like Costs as if the Action or Suit had been commenced in his or her Name, for the Benefit of or to be reimbursed from the Funds of such Society or Branch: Provided always, that no Person shall be deemed to be a Trustee under the Meaning of this Act until the Resolution of the Society or Branch appointing him Trustee shall have been transmitted, under the Hand of Three Members of the Society or Branch, and signed by such Trustee, countersigned by the Clerk or other principal Officer, to the Registrar, to be by him deposited with the Rules of the Society or Branch in his Custody as aforesaid.

Trustees
may sue
and be
sued.

No Person
to be deem-
ed a Trust-
ee until his
Appoint-
ment shall
have been
forwarded
to the
Registrar.

Limitation
of Respon-

XIV. And be it enacted, That no Treasurer or Trustee or other Officer of any Society or Branch established under the Authority of this Act shall be liable to make good any Deficiency

ciency which may arise in the Funds thereof unless he shall have declared, by Writing under his Hand, to be deposited with the Registrar, that he is willing so to be answerable; and it shall be lawful for each of such Persons to limit his Responsibility to such Sum as shall be specified in such Writing: Provided always, that every Treasurer, Trustee, and other Officer shall be personally responsible and liable for all Monies actually received by him on account of or for the Use of such Society or Branch.

sibility of
Treasurer,
&c.

Treasurer,
&c. liable
for Money
actually
received.

XV. And be it enacted, That the Trustees or other Officer of every such Society or Branch in whose Charge the Accounts of the said Society are kept shall once in every Year prepare or cause to be prepared a General Statement of the Funds and Effects of such Society or Branch during the past Twelve Months, in such Form as shall enable the Registrar to make a Return under the several Heads set forth in Schedule (F.) to this Act annexed, as accurately as such Officer may be able to furnish the Information required, and shall transmit the same to the Registrar on some Day before the First of *September* in each Year; and every such Statement shall be attested by Two Trustees of such Society, and by the Auditor, if any such shall have been appointed, and shall be countersigned by the Officer who keeps the Accounts of such Society; and every Member shall be entitled to receive from the said Society a Copy of such Statement on Payment of Sixpence.

Trustees to
transmit
annual Re-
turn to
Registrar.

XVI. And be it enacted, That if in any Year such Statement shall not have been transmitted as aforesaid on or before the last Day of *September*, the Registrar shall give Notice to the Trustees of such Society or Branch; and if the said Statement shall not have been transmitted on or before the last Day of *December* following, or if any fraudulent or wilfully false Return shall have been transmitted, such Trustees are hereby declared to be incapable of prosecuting any Action in any Court of Law or Equity on behalf of such Society or Branch until they shall have duly furnished to the Registrar such Statement as aforesaid.

In default
of such
Return,
Trustees to
be incap-
able of
bringing
Action.

XVII. And whereas it is desirable, for the better Security of Friendly Societies, that correct Calculations of Tables of Payment and Allowances dependent on the Duration of Sickness and the Probabilities of Human Life should be constructed for their Assistance; and it is expedient to collect Data and Facts resulting from the Experience of such Societies from Time to Time, for the Purpose of correcting such Calculations: Be it enacted, That the Trustees or other Officers as aforesaid of every Society or Branch established under the Provisions of this Act, in which any Benefits are assured for an Allowance in Sickness, an Annuity, deferred or immediate, or a Sum

Quinquen-
nial Re-
turns to be
sent to
Registrar.

Sum to be paid on Death, shall, within Three Months after the Expiration of the Month of *December* One thousand eight hundred and fifty-five, and so again within Three Months after the Expiration of every Five Years succeeding, transmit to the Registrar a Return of the Rate of Sickness and Mortality experienced by the Society or Branch within the preceding Five Years, in such Form as shall be prepared for that Purpose, and furnished to the Trustees of every such Society or Branch, by the said Registrar, under the Direction of One of Her Majesty's Principal Secretaries of State.

Registrar
to prepare
Abstract of
Returns to
be laid be-
fore Par-
liament.

XVIII. And be it enacted, That the Registrar shall cause to be made an Abstract and Report of all such annual and quinquennial Returns, and shall lay the same before One of Her Majesty's Principal Secretaries of State, and before both Houses of Parliament.

When
Trustees
shall be
absent, &c.
Registrar
may order
Stock to be
transferred
and Divi-
dends paid.

XIX. And be it enacted, That whenever it shall happen that any Person in whose Name any Part of the several Stocks, Annuities, and Funds transferable at the Bank of *England*, or in the Books of the Governor and Company of the Bank of *England*, is or shall be standing as a Trustee of any such Society or Branch, shall be out of *England*, *Ireland*, or *Scotland* respectively, or shall have been removed from his Office of Trustee, or shall be a Bankrupt, Insolvent, or Lunatic, or it shall be unknown whether such Trustee is living or dead, it shall be lawful for the Registrar to direct that the Accountant General, Secretary, or Deputy Secretary, or other proper Officer for the Time being of the Governor and Company of the Bank of *England*, do transfer in the Books of the said Company such Stock, Annuities, or Funds standing as aforesaid to and into the Name of the newly appointed Trustee or Trustees, and also pay over to such Person or Persons as aforesaid the Dividends of such Stock, Annuities, or Funds; and whenever it shall happen that One or more only, and not all or both, of such Trustees as aforesaid, shall be so absent, or have been removed. or be a Bankrupt, Insolvent, or Lunatic, or it be unknown whether any One or more of such Trustees be living or dead, it shall be lawful for the said Registrar to direct that the other and others of such Trustees do transfer such Stock, Annuities, or Funds to or into the Name of such Person so appointed Trustee as aforesaid, jointly with the continuing Trustees, if any, and also receive and pay over the Dividends of such Stock, Annuities, or Funds, as such Society shall direct.

Act to be
an Indem-
nity to
the Bank.

XX. And be it enacted, That this Act shall be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England*, and their Officers and Servants, for all Acts and Things done pursuant hereto; and such Acts and

and Things shall not be questioned or impeached in any Court of Law or Equity to their Prejudice or Detriment.

XXI. And be it enacted, That the Provisions of an Act passed in the Thirty-ninth Year of the Reign of King George the Third, intituled *An Act for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for better preventing treasonable and seditious Practices*, and also of another Act passed in the Fifty-seventh Year of the Reign of King George the Third, intituled *An Act for the more effectual preventing seditious Meetings and Assemblies*, shall not extend to any Society or Branch established under this Act in which Benefits are assured to the Members depending on the Laws of Sickness and Mortality, or to any Meeting of the Members or Officers thereof, in which Society or Branch or at which Meeting no Business whatever is transacted other than that which directly and immediately relates to the Objects of the Society or Branch as declared in the Rules thereof, as they are set forth in the certified Copy thereof: Provided always, that the Trustees or other Officers of such Society or Branch, when required under the Hand of Two of Her Majesty's Justices of the Peace, shall give full Information to such Justices of the Nature, Objects, Proceedings, and Practices of such Society or Branch, and in default thereof the Provisions of the said recited Acts shall be in force with regard to such Society or Branch.

Provisions of 39 G. 3, c. 79. and of 57 G. 3. c. 19. not to extend to Friendly Societies under this Act.

XXII. And be it enacted, That if any Dispute shall arise between the Members, or Person claiming under or on account of any Member, of any Society or Branch established under this Act, and the Trustees, Treasurer, or other Officer or Committee thereof, it shall be settled in such Manner as the Rules of such Society or Branch shall direct, and the Decision so made shall be binding and conclusive; but if such Dispute be of such Kind that for the Settlement of it, according to the Laws now in force, recourse must be had to One of Her Majesty's Courts of Equity, or to the Court of Session, it may be referred, at the Option of either Party, to the Judge of the County Court or of the Sheriff Court in *Scotland*, who shall proceed *ex parte*, on Notice in Writing to the other of the said Parties being left at his usual Place of Residence or Abode Ten Days previously; and he is hereby authorized to require of all Parties who are or may have been Members, Trustees, or Officers of such Society to produce before him all Books or other Documents relating to the Concerns of such Society; and thereupon, if he shall so think fit, it shall be lawful for him to determine the said Dispute, and to displace any such Trustee or Officer, or to make such Award as the Justice of the Case, in his Opinion, may require, and

Disputes between Society and Trustees to be settled according to Rules.

Questions of Equity to be settled by County Court, or Sheriff Court of *Scotland*.

and such Decision or Award shall be binding and conclusive.

Rules for Arbitration, where such is appointed by Rules.

Justices may enforce the Award.

XXIII. And be it enacted, That if it shall be provided by the Rules of such Society or Branch that Disputes which may arise between any Member thereof and the Trustees, Committee, or Officers on the Part of the Society shall be settled by Arbitration, the Number of Arbitrators and Mode of Election shall be stated in the Rules; and in case any of such Arbitrators shall at any Time neglect or refuse to act, the Members of such Society or Branch at a General Meeting, or General Committee thereof, are hereby required forthwith to elect and appoint some other Person to be an Arbitrator in his Place; and the Rules shall direct in what Manner such Arbitrators, or any of them, shall proceed to determine such Disputes; and the Award so made by them, or so many as may be appointed for the Purpose, according to the Rules, shall be final and binding on all Parties without Appeal, and shall not be removed to any Court of Law or Equity; and if either of the said Parties shall refuse or neglect to comply with or conform to the Decision of the said Arbitrators, or the major Part of them, it shall and may be lawful for any One Justice of the Peace for the County within which such Society shall be established, upon good and sufficient Proof being adduced before him of such Award having been made, and of the Refusal of the Party to comply therewith, upon Complaint made by or on behalf of the Party aggrieved, to summon the Person against whom such Complaint shall be made to appear at a Time and Place to be named in such Summons, and upon his or her Appearance, or in default thereof upon due Proof upon Oath of the Service of such Summons, to make such Order thereupon as may to him seem just; and if the Sum of Money awarded, together with the Sum for Costs, not exceeding the Sum of Ten Shillings, as to such Justice shall seem meet, shall not be immediately paid, then such Justice shall, by Warrant under his Hand, cause such Sum and Costs as aforesaid to be levied by Distress, or by Distress and Sale of the Monies, Goods, Chattels, Securities, and Effects belonging to the said Party or to the said Society, together with all further Costs and Charges attending such Distress and Sale or other legal Proceedings, returning the Overplus (if any) to the said Party, or to the said Society, or to One of the Trustees thereof; and in default of such Distress being found, or in case of such other legal Proceeding being ineffectual, then to be levied by Distress and Sale of the proper Goods of the said Party or of the Officer of the said Society so neglecting or refusing as aforesaid, together with such further Costs and Charges as aforesaid, returning the Overplus (if any) to the Owner :

Owner: Provided always, that whatever Sums shall be paid by any such Officer so levied on his or her Property or Goods in pursuance of the Award of Arbitrators, or Order of any Justice, shall be repaid, with all Damages accruing to him or her, by and out of the Monies belonging to such Society, or out of the first Monies which shall be thereafter received by such Society.

XXIV. And be it enacted, That if the Rules of any such Friendly Society or Branch shall have provided for the Settlement of Disputes by Arbitration, but no Arbitrator shall have been appointed, or no Award shall have been made within Forty Days after such Complaint has been made to the Officers of such Society or Branch, or if the Rules shall have directed that any Dispute between the Members and the Trustees or other Officer on the Committee of Management shall be settled by Justices of the Peace, then it shall be lawful for any Justice of the Peace acting in the County or Borough in which the principal Business of the Society or Branch is carried on, on Complaint being made to him by any Member, or Person claiming under a Member thereof, of any Matter in dispute between him and such Society or Branch, to summon the Person against whom such Complaint shall be made to appear at a Time and Place to be named in such Summons; and upon his Appearance, or in default thereof upon due Proof on Oath of the Service of such Summons, it shall be lawful for any Two Justices to proceed to hear and determine the said Complaint; and in case the said Justices shall order any Sum of Money to be paid by such Person against whom such Complaint shall be made, and such Person shall not pay the same to the Person and at the Time specified by such Justices, they shall proceed to enforce their Order in the Manner hereinbefore directed to be used in case of any Neglect to comply with the Decision of the Arbitrators appointed under the Authority of this Act.

If no Arbitrators appointed, or no Award given, Justices may decide.

XXV. And be it enacted, That in case any Member of any such Society or Branch shall have been expelled from such Society, and the Award of the Arbitrators or the Order of the Justices shall direct that he or she shall be reinstated, it shall be lawful for such Arbitrators to award or Justices to order, in default of such Reinstatement, such a Sum of Money to be paid to such Member by the Trustees of such Society as to such Arbitrators or Justices may seem just and reasonable, which said Sum of Money, if not paid, shall be recoverable from the said Society or Branch, or the Treasurer, Trustee, or other Officer, in the same Way as any Money awarded by Arbitrators is recoverable under this Act.

In case Member is unjustly expelled, Arbitrators or Justices may direct such Member to be reinstated, and in default may award a Sum of Compensation.

XXVI. And be it enacted, That for the more effectually preventing

In case of Fraud or Imposition on the Funds, Justices may summon the Parties, and hear the Complaint.

Upon Proof of Fraud, Justices may award double the Amount obtained, &c.

If Money awarded is not paid, the same may be levied by Distress.

In default of Distress, Offender may be committed to Prison.

preventing Fraud and Imposition on the Funds of such Societies, if any Officer, Member, or any other Person being, or representing himself to be, a Member of such Society or Branch, or the Nominee, Executor, Administrator, or Assignee of any Member thereof, or any other Person whatever, shall in or by any false Representation or Imposition obtain Possession of the Monies, Securities, Books, Papers, or other Effects of such Society or Branch, or any Part thereof, or having the same in his or her Possession shall withhold or misapply the same, it shall be lawful for any Justice of the Peace acting in the County or Borough in which the principal Place of Business of such Society is situated, upon Complaint made on Oath or Affirmation by an Officer of such Society or Branch appointed for that Purpose, to summon such Person against whom such Complaint shall be made to appear at a Time and Place to be named in such Summons; and upon his or her Appearance, or in default thereof upon due Proof upon Oath or Affirmation of the Service of such Summons, it shall be lawful for any Two Justices acting in the County or Borough aforesaid to hear and determine the said Complaint; and upon due Proof of such Fraud the said Justices shall convict the said Party, and award double the Amount of the Money so obtained or withheld to be paid to the Treasurer, to be applied by him to the Purposes of the Society or Branch, or order the said Securities, Books, Papers, or other Effects to be delivered to the Society or Branch, together with such Costs as shall be awarded by the said Justices, not exceeding the Sum of Twenty Shillings; and in case such Person against whom such Complaint shall be made shall not pay the Sum of Money so awarded, to the Person and at the Time specified in the said Order to deliver the said Effects as aforesaid, such Justices are hereby required, by Warrant under their Hands and Seals, to cause the same to be levied by Distress and Sale of the Goods of such Person on whom such Order shall have been made, or by other legal Proceeding, together with such Costs as shall be awarded by the said Justices, not exceeding the Sum of Ten Shillings, and also the Costs and Charges attending such Distress and Sale or other legal Proceeding, returning the Overplus (if any) to the Owner; and in default of such Distress being found, or of such Effects as aforesaid being returned, the said Justices of the Peace shall commit such Person so proved to have offended to the Common Gaol or House of Correction, there to be kept to hard Labour for such a Period not exceeding Three Calendar Months as to them shall seem fit: Provided nevertheless, that nothing herein contained shall prevent the said Society or Branch from proceeding by Indictment or Complaint against the Party complained

plained of ; and provided also, that no Party shall be proceeded against by Indictment or Complaint if a previous Conviction has been obtained for the same Offence under the Provisions of this Act.

XXVII. And be it enacted, That every Sentence, Order, and Adjudication of Justices under this Act shall be final and conclusive to all Intents and Purposes, and shall not be subject to Appeal, and shall not be removed or removable into any Court of Law, or restrained or restrainable by the Injunction of any Court of Equity ; and that no Suspension, Advocation, or Reduction shall be competent: Provided always, that in *Scotland* the Sheriff, within his County, shall have such and the like Power, Authority, and Jurisdiction which is in this Act conferred upon any Justice or Justices of the Peace, and shall exercise the same in such and the like Form and Manner as is used in Cases of a summary Nature, and in the Recovery of Small Debts in the County Court.

Orders of Justices to be final, and not removable into Court of Law, &c.

XXVIII. And be it enacted, That every Person who shall have or receive any Part of the Monies, Effects, or Funds of or belonging to any such Society or Branch, or shall in any Manner have been or shall be intrusted with the Disposal, Management, or Custody thereof, or of any Securities, Books, Papers, or Property relating to the same, his or her Executors, Administrators, and Assigns respectively, shall, upon Demand made, or Notice in Writing given or left at the last or usual Place of Residence of such Persons, in pursuance of any Order of not less than Two Trustees or Three Members of the Committee or Board of Management, give in his Account at the usual Meeting of such Society or Branch, or to such Committee or Board of Management, to be examined and allowed or disallowed ; and shall, on the like Demand or Notice, pay over all the Monies remaining in his Hands and assign and transfer or deliver all Securities and Effects, Books, Papers, and Property, in his Hands or Custody, to the Treasurer or Trustee for the Time being, or to such other Person as such Committee or Board of Management shall appoint ; and in case of any Neglect or Refusal to deliver such Account, or to pay over such Monies, or to assign, transfer, or deliver such Securities and Effects, Books, Papers, and Property, in manner aforesaid, it shall be lawful to and for the Members of every such Society, or Committee or Board of Management thereof, in the Name of the Treasurer or Trustee or other Officer thereof, to apply by Petition to the Registrar, who shall and may proceed thereupon in a summary Way, and make such Order therein as to such Registrar, in his Discretion, shall seem just.

Treasurers, &c. to render Accounts, and upon Demand pay over Monies, &c. to Party appointed by Society, &c. ;

and in case of Neglect Application may be made to the Registrar, who shall proceed thereupon in a summary Way.

XXIX. And be it enacted, That on any Proceedings before the

On such Reference

Registrar
may in-
spect
Books and
administer
Oaths.

False Evi-
dence Per-
jury.

Orders,
&c. to be
binding
without
Appeal.

Secretary
of State to
fix amount
of Fees
payable
on Refer-
ence, and
Registrar
to deter-
mine who
shall pay
them.

Member
of Friendly
Society
may be a
Witness.

Minors
may be
Members
and have
legal Au-
thority to
act, but
not to
hold Office.
Consent
necessary
for Disso-
lution of
Society.

the said Registrar he shall be authorized to Inspect and to require the Production before him of all Books or other Documents relating to the Matter in dispute, and to administer an Oath to any Witness appearing before him; and every Person who upon such Oath shall wilfully and corruptly give any false Evidence before such Registrar shall be deemed to be guilty of Perjury.

XXX. And be it further enacted, That all Orders made by the Registrar under the Provisions of this Act shall be final and binding on all Parties, without Appeal; and all Assignments, Orders, Transfers, or Sales made in Pursuance of such Order shall be valid and effectual in Law, and if any Person shall refuse or neglect to obey such Order, and shall be convicted thereof, he shall be deemed guilty of a Misdemeanor.

XXXI. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to fix reasonable Fees to be paid on any such Proceedings before the Registrar, and all such Fees shall be paid in the first instance by the Trustees of the Society or Branch; and the Registrar shall determine in and by his Award or Order by which of the Parties and in what Proportion the Expense of such Fees shall be finally borne: and the Trustees of such Society or Branch, having paid such Fees, shall be entitled to recover them from the Party or Parties against whom they shall be so awarded.

XXXII. And be it enacted, That on the Trial of any Action, Indictment, or other Proceeding respecting the Property of any Society established under the Provisions of this Act, or in any Proceedings before any Justice of the Peace, Judge of the County Court, or the Registrar, any Member of such Society shall be a competent Witness, and shall not be objected to on account of any Interest he may have as such Member in the Result of such Action, Indictment, or other Proceeding.

XXXIII. And be it enacted, That a Minor may become a Member of any such Society or Branch, and he is hereby empowered to execute all Instruments, and give all necessary Acquittances; provided always, that such Minor shall not be competent during his Minority to hold any Office as Director, Trustee, Treasurer, or Manager in such Society or Branch.

XXXIV. And be it enacted, That it shall not be lawful for the Members of any such Society or Branch, by any Rule or Order or Resolution, to dissolve or determine such Society or Branch, so long as the Intents or Purposes declared by the Rules of such Society, or any of them, remain to be carried into effect, without obtaining the Votes of Consent of Five
Sixths

Sixths in Value of the then existing Members, to be ascertained in manner herein-after mentioned, and also the Consent of all Persons then receiving or then entitled to receive Relief either on account of Sickness, Age, or Infirmary, to be testified under their Hands individually and respectively; and for the Purpose of ascertaining the Votes of such Five Sixths in Value every Member shall be entitled to One Vote, and an additional Vote for every Five Years that he may have been a Member; provided also, that no One Member shall have more than Five Votes in the whole; and in all Cases of Dissolution the intended Appropriation or Division of the Funds or other Property shall be fairly and distinctly stated in the proposed Plan of Dissolution prior to such Consent being given; and it shall not be lawful for such Society or Branch by any Rule to direct the Division or Distribution of such Stock or Fund, or any Part thereof, to or amongst the several Members of such Society, other than for carrying into effect the general Intents and Purposes declared by the Rules originally certified; and all such Rules for the Dissolution or Determination thereof without such Consent as aforesaid, or for the Distribution or Division of the Stock or Funds contrary to the Rules, shall be void and of none Effect; and in the event of such Division or Misappropriation of the Funds without the Consent hereby declared to be requisite, any Trustee or other Officer or Person aiding or abetting therein shall be liable to the like Penalties as are in this Act provided in Cases of Fraud: Provided always, that it shall be lawful for any Two or more Societies or Branches to become united or incorporated in One Society or Branch, upon such Terms as shall be approved by the major Part of the Trustees and Board of Management of both Societies or Branches.

XXXV. And be it enacted, That all Rules, Alteration of Rules, Transcript or Copy of or Extracts from all Rules and Alteration of Rules, and all Awards, Writings, and Documents, of what Nature or Kind soever, relating to any Society or Branch, directed by any Act or Acts of Parliament to be certified by the Registrar, and purporting to be signed by him, shall, in the Absence of any Evidence to the contrary, be received in all Courts of Law and Equity and elsewhere, without Proof of the Signature thereto.

XXXVI. And be it enacted, That if any Person appointed to any Office in any Friendly Society or Branch thereof established under this Act, and being intrusted with the keeping of the Accounts, or having in his Hands or Possession, by virtue of his said Office or Employment, any Monies or Effects belonging thereto, or any Deeds or Securities relating to the same, shall die, or become a Bankrupt or Insolvent,

Rules,
&c. under
Hand of
Registrar
to be
received
without
Proof of
Signature.

Executors,
&c., of
Officers of
certified
Friendly
Societies
to pay
Money
due to

Society
before any
other
Debts,
within
Forty
Days after
Demand in
Writing.

or have any Execution or Attachment or other Process issued, or Action or Diligence raised, against his Lands, Goods, Chattels, or Effects, or Property or Estate, heritable or moveable, or make any Assignment, Disposition, Assignment, or other Conveyance thereof, for the Benefit of his Creditors, his Heirs, Executors, Administrators, or Assignees, or other Persons having legal Right, or the Sheriff or other Officer executing such Process, or the Party using such Action or Diligence, shall, within Forty Days after Demand made in Writing by the Order of any such Society or Branch, or of not less than Three of the Committee of Management assembled at any Meeting thereof, deliver and pay over all Monies and other Things belonging to such Society or Branch to such Person as such Society or Committee shall appoint, and shall pay out of the Estates, Assets, or Effects, heritable or moveable, of such Person, all Sums of Money remaining due which such Person received by virtue of his said Office or Employment, before any other of his Debts are paid or satisfied, or before the Money directed to be levied by such Process as aforesaid, or which may be recovered or recoverable under such Diligence, is paid over to the Party issuing such Process or using such Diligence; and all such Assets, Lands, Goods, Chattels, Property, Estates, and Effects, shall be bound to the Payment and Discharge thereof accordingly.

Member
belonging
to more
than One
Society
not to be
entitled
to Benefits
exceeding
100*l.*, or
30*l.* An-
nuity, or
20*s.* Sick-
ness.

XXXVII. And be it enacted, That if any Person after the passing of this Act shall become a Member of more than One Society or Branch, and thereby be entitled to certain Benefits on account of the same Kind of Assurance from more than One Society or Branch, it shall not be lawful for him to claim or receive such Benefit from any or either Society or Branch without signing a Declaration that the joint Value or Amount of all the Benefits in any One Kind of Assurance to which he may be entitled from any Society or Societies, Branch or Branches, of which he may be a Member, does not in the Aggregate exceed the Amount of One hundred Pounds in One Sum, or an Annuity of Thirty Pounds *per Annum*, or a Sum in Sickness of Twenty Shillings *per Week*; and in case such Declaration shall not be true, such Member shall be liable to the Penalties herein-before enacted in case of Fraud.

Power to
certified
Societies
to invest
Monies
with Na-
tional
Debt Com-

XXXVIII. And be it enacted, That it shall be lawful for any certified Society, or certified Branch thereof, established under this Act, to pay directly into the Bank of *England* any Sum of Money not less than Fifty Pounds to the Account of the Commissioners for the Reduction of the National Debt, upon the Declaration of the Treasurer or Trustees of such Society

Society or Branch, or any Two or more of them, that such Monies belonging exclusively to the Society or Branch for which such Payment is intended to be made; and the Cashier of the Bank of *England* is hereby required to receive all such Monies, and to place the same to the Account raised in the Names of the said Commissioners for the Time being in the Books of the Bank, denominated "The Fund for Friendly Societies;" and in case such Declaration shall not be true, then and in every such Case the Sum of Money paid in on such Declaration shall be forfeited to the said Commissioners, and applied by them in the Manner directed by an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to Savings Banks*; and all the Clauses and Provisions of the Acts for the Time being in force relating to Savings Banks, with respect to the Account of such Banks, and the Regulation of Receipts, Certificates, or Orders concerning the same, shall be applicable to the Monies so paid in as aforesaid, under the Authority of this Act, as if the same had been repeated herein; and every such Society or Branch shall, on paying Money directly into the Bank as aforesaid, be entitled to receive Receipts bearing Interest at the Rate of Twopence *per Centum per Diem*: Provided always, that no fractional Part less than One Penny shall be allowed or paid as Interest upon the Principal Sum contained in such Receipt.

XXXIX. And be it enacted, That, except as herein-after provided, no Order of the Registrar, or Copy of Rules, Power, Warrant, or Letter of Attorney granted by any Person as Trustee of any Society or Branch established under this Act, for the Transfer of any Share in the Public Funds standing in the Name of such Trustee, nor any Receipt for Money contributed to the Funds of any such Society or Branch, or received by any Member, his Executors, Administrators, Assigns, or Attornies, from the Funds of such Society, nor any Bond to be given to or on account of any such Society or Branch, or by the Treasurer or Trustee or any Officer thereof, nor any Draft or Order, nor any Form of Policy, nor any Appointment of any Agent, nor any Certificate or other Instrument for the Revocation of any such Appointment, nor any other Document whatever required or authorized by or in pursuance of this Act, shall be subject or liable to or charged with any Stamp Duty.

XL. And be it enacted, That when on the Death of any Member of any such certified Friendly Society, or any certified Branch, or of any Friendly Society already established, any Sum not exceeding Fifty Pounds shall become payable, it shall be lawful for the Trustees for the Time being of such Society, if

missioners, upon Declaration that they belong exclusively to the Society. In case Declaration not true, Money to be forfeited and applied in manner directed by 9 G. 4, c. 92.

Powers of Attorney, &c. not liable to Stamp Duty.

For Payment of Sums not exceeding 50l. when Members die intestate.

if they shall be satisfied that no Will was made and left by such deceased Member, and that no Letters of Administration or Confirmation will be taken out of the Funds, Goods, and Chattels of such Depositor, to pay the same to the Widower or Widow of such Member, as the Case may be, or to the Child of such Member, if so directed by any Rule of such Society or Branch; and in case there shall be no such Direction, then to pay and divide the same to and amongst the Person or Persons entitled to the Effects of the deceased Intestate, without taking out Letters of Administration in *England* and *Ireland*, and without Confirmation in *Scotland*.

Payments to Persons who appear to Trustees to be entitled to Effects of deceased Intestate Members declared valid;

but next of Kin, &c. to have Remedy against the Party who receives the same.

Payment on Death of Members to be made to Executors, &c., and not to Nominees.

XXI. And be it enacted, That whenever the Trustees of any certified Friendly Society or Branch, at any Time after the Decease of any Member, shall have paid and divided any Sum of Money to or amongst any Person or Persons who shall at the Time of such Payment appear to such Trustees to be entitled to the Effects of any deceased intestate Member, the Payment of any such Sum or Sums of Money shall be valid and effectual with respect to any Demand of any other Person or Persons as next of Kin of such deceased intestate Member, or as the lawful Representative or Representatives of such Member, against the Funds of such Society or Branch or against the Trustees thereof; but nevertheless such next of Kin or Representatives shall have Remedy for such Money so paid as aforesaid against the Person or Persons who shall have received the same.

XLII. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Society established under any Act hereby repealed to grant any Assurance whereby the Sum assured on the Death of the Member shall be payable to any Nominee or to any other Person than the Widower or Widow of a Member, as the Case may be, or the Child, or the Executors, Administrators, or Assigns of such Member, or in case the Member shall die intestate, and the Sum payable on his Death shall not exceed Fifty Pounds, to the Person whom the Trustees shall consider entitled to the Goods and Effects of the Member so dying intestate: Provided always, that nothing in this Act contained shall affect any Power, Privilege, or Exemption in respect of any Assurance legally made or granted before the passing of this Act under the Provisions of any of the Acts hereby repealed: Provided also, that it shall be lawful for any such Society to add to its Rules a Rule or Rules whereby any Sum payable on the Death of a Member may be made payable to the Executors, Administrators, or Assigns of such Member.

XLIII. And be it enacted, That no Friendly Society or Branch established under any Act now in force relating to Friendly

Existing Friendly Societies

Friendly Societies shall, from and after the passing of this Act, be entitled or authorized to pay directly into the Bank of *England* any Sum of Money to the Account of the Commissioners for the Reduction of the National Debt, except so much as may be paid on account of Assurances made previous to the passing of this Act by any Society which has already invested its Funds or any Part thereof with the said Commissioners: Provided always, that nothing herein contained shall affect the Right of any Society established under any of the Acts hereby repealed, and which shall have invested its Funds with the Commissioners for the Reduction of the National Debt before the passing of this Act, to Receipts bearing Interest at such Rate as such Society were entitled to receive under the Provisions of the said Acts, for any Monies invested or hereafter to be invested with the said Commissioners on account of Assurances made before the passing of this Act.

XLIV. And be it enacted, That from and after the passing of this Act a Declaration shall be made by the Trustees of every Friendly Society established as aforesaid, on the Payment into the Bank of *England* of any Sum of Money to the Account of the said Commissioners, that such Payment is on account of Assurances made previous to the passing of this Act, in such form as the said Commissioners shall from Time to Time direct; and in case such Declaration shall not be true, then and in every such Case the Sum of Money paid on such Declaration shall be forfeited to the said Commissioners, to be applied by them in the Manner directed by an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to Savings Banks*.

XLV. And be it enacted, That nothing in the said Acts now in force relating to Friendly Societies shall be construed to extend to grant any Exemption from Stamp Duty to any Friendly Society enrolled or certified under the said Acts which shall after the passing of this Act assure the Payment to or on the Death of any Member, or on any Contingency or for any Purpose to which the Payment of Sums may be assured under this Act, of a Sum exceeding One hundred Pounds, or of any Annuity exceeding Thirty Pounds *per Annum*, or of a Sum in Sickness not exceeding Twenty Shillings *per Week*.

XLVI. And be it enacted, That every Society duly enrolled or certified under any Act hereby repealed which shall not after the passing of this Act assure the Payment to or on the Death of any Member, or on any Contingency or for any Purpose for which the Payment of Sums may be assured under this Act, exceeding One hundred Pounds, or an Annuity exceeding Thirty Pounds *per Annum*, or any Sum in Sickness exceeding

not to invest with National Debt Commissioners except for Assurances made before passing of this Act.

Declaration to be made by Trustees on Investment.

If Declaration not true, Money to be forfeited and applied in manner directed by 9 G. 4. c. 92.

Exemption from Stamp Duty not applicable to Societies granting Assurances above the Limits of this Act.

Societies established under repealed Acts to be entitled to Exemptions and Privileges of this Act, if they do

not grant
Assur-
ances be-
yond the
Limits of
this Act.

Societies
not to re-
deposit
Monies
with Com-
missioners
for Reduc-
tion of
National
Debt with-
out Con-
sent of
Comptroller
General.

Provisions
of this Act
may be ap-
plied to
benevolent
and chari-
table
Societies
formed by
voluntary
Subscrip-
tion, &c., if
Rules are
registered
in pursu-
ance of this
Act.

Construc-
tion of
Terms.

Public Act.

exceeding Twenty Shillings *per* Week, shall enjoy all the Exemptions and Privileges in this Act conferred upon any Society established under the Provisions of this Act.

XLVII. And be it enacted, That no Friendly Society already established, nor any certified Society or certified Branch thereof, which has already invested or may hereafter invest any Money with the Commissioners for Reduction of the National Debt, shall be entitled to re-deposit any Monies with them, without the Consent of the said Commissioners, or of the Comptroller General or Assistant Comptroller in their Behalf.

XLVIII. And whereas several benevolent and charitable Institutions and Societies are formed by voluntary Subscriptions and Benefactions for the Purpose of relieving the physical Wants and Necessities of Persons in distressed Circumstances, and it is expedient to afford some Protection to the Funds thereof: Be it therefore enacted, That if the Rules of any such Institution or Society, and all Alterations and Amendments thereof, shall be registered under the Provisions of this Act, then and in that Case the Clauses and Provisions herein contained, so far as the same relate to the giving of Security from any Treasurer or other Officer or Person, and to the vesting of the Effects in the Trustees for the Time being, and to their suing and being sued, and as to the Liability of the Treasurer or Trustee or other Officer, and to the protecting, securing, or recovering the Funds vested or being in such Treasurer or Trustees, and for enforcing the rendering of Accounts by him or them, shall be extended to all and every such Institution or Society, which shall have and enjoy and be entitled to the Benefits of this Act, with respect to the several Matters as aforesaid, as fully and effectually as any Friendly Society or Branch registered under this Act can or may have or enjoy the same.

XLIX. And be it enacted, That in the Construction of this Act, unless there shall be something in the Subject Matter or Context repugnant thereto, the Word "Society" shall include every Branch thereof; the Word "County" shall include County, Riding, Division, Borough, or Place; the Word "Justice" shall include Mayor, High Bailiff, Sheriff in *Scotland*, or other Magistrate; the Word "Registrar" shall signify the Registrar of Friendly Societies in *England*, *Scotland*, or *Ireland*, as the Case may be; Words importing the Singular Number shall include the Plural Number; and Words importing the Masculine Gender shall include Females.

L. And be it enacted, That this Act shall be deemed a Public Act, and shall extend to *Great Britain* and *Ireland* and *Berwick-upon-Tweed*, and the Isles of *Guernsey*, *Jersey*, and *Man*.

LI. And

LI. And be it enacted, That this Act shall be in force for One Year from the passing thereof, and from thence to the End of the then next Session of Parliament.

Act to be in force for One Year.

LII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Registrar's Certificate to Rules of Registered Friendly Societies.

I hereby certify, That these Rules [*or Alterations of Rules*] are in conformity to Law and to the Provisions of the Statute in force relating to Registered Friendly Societies.

A.B.

The Registrar of Friendly Societies in
England [*Ireland or Scotland.*]
Day of .

SCHEDULE (B.)

Form of Registrar's Certificate to Rules of Certified Friendly Societies.

I hereby certify, That these Rules [*or Alterations of Rules*] are in conformity to Law and to the Provisions of the Statute in force relating to Certified Friendly Societies.

A.B.

The Registrar of Friendly Societies in
England [*Ireland or Scotland.*]
Day of

SCHEDULE (C.)

Form of Actuary's Certificate.

I hereby certify, That the preceding Table or Tables, to each of which my Name is subscribed, may be fairly

fairly and safely adopted for the Purposes of the Society, subject to the Terms, Conditions, and Provisions of Clauses Nos. of the Rules, to each of which my Initials are affixed: And I hereby declare, that I consider each of the said Tables fairly to represent for each Year or Term of Age (which said Term does not exceed Five Years) the Rate of Contribution necessary to provide the respective Benefits intended to be provided thereby, and that they are in conformity with the Provisions of the Act passed in the

Years of Her present Majesty, Chapter and fairly represent the Interest of Members entering at those Years or Terms of Age, without Prejudice to any; and that the said Tables are calculated on the Supposition that the Capital of the Society will realize at least per Cent. Compound Interest [*if any Addition has been made to the Rates of Contribution for Expenses of Management, here state the same,*] and are founded on the Rate of Sickness and Mortality [*here describe the same; and if the Data on which the Calculation has been based is published, state the Work and Date of Publication,*] upon the following Data:

Age.	Number out of which One will die in each Year.	Average Amount of Sickness annually experienced in each Year.
20		
25		
30		
35		
40		
45		
50		
55		
60		

And I declare, that I have read the Rules of the said Society, and find nothing in them inconsistent with the said Tables, or which is calculated, in my Opinion, to endanger the Stability of the Society.

A.B.
Actuary of
Day of .

SCHEDULE (D.)

Form of Medical Certificate.

I hereby certify, That late of Street died
the

the Day of and I have no Reason to attribute
his Death to Poison, Violence, or Criminal Neglect.

(Signed) A.B.

Day of .

Profession.

Residence.

Form of Coroner's Certificate.

I hereby certify, that I have held an Inquest on the Body
of late of , who was found dead ; and
the Jury have returned the following Verdict

And it does not appear to me that he has been deprived of
Life by means of any Person beneficially interested in obtain-
ing Burial Money from any Society.

Day of .

A.B., Coroner.

SCHEDULE (E.)

Form of Bond.

Know all Men by these Presents, That we A.B. of
Treasurer [*or Steward, &c.*] of the Society, established
at in the County of and C.D. of
 and G.H. of (as Sureties on behalf
of the said A.B.) are jointly and severally held and firmly
bound to A.B. of , C.D. of , and E.F. of ,
the Trustees of the said Society, in the Sum of to be
paid to the said A.B., C.D., and E.F. as such Trustees, or
their Successors Trustees for the Time being, or their certain
Attorney, for which Payment well and truly to be made we
jointly and severally bind ourselves, and each of us by himself,
our and each of our Heirs, Executors, and Administrators,
firmly by these Presents sealed with our Seals. Dated
the Day of in the Year of our
Lord .

Whereas the above-bounden A.B. hath been duly appointed
Treasurer [*or Steward, &c.*] of the Society,
established as aforesaid, and he, together with the above-
bounden C.D. and G.H. as his Sureties, have entered into
the above-written Bond, subject to the Condition herein-after
contained: Now, therefore, the Condition of the above-written
Bond is such, that if the said A.B. shall and do justly and
faithfully execute his Office of Treasurer [*or Steward, &c.*] of
the said Society established as aforesaid, and shall and do
render

render a just and true Account of all Monies received and paid by him, and shall and do pay over all the Monies remaining in his Hands, and assign and transfer or deliver all Securities and Effects, Books, Papers and Property of or belonging to the said Society in his Hands or Custody, to such Person or Persons as the said Society shall appoint, according to the Rules of the said Society, together with the proper or legal Receipts or Vouchers for such Payments, and likewise shall and do in all respects well and truly and faithfully perform and fulfil his Office of Treasurer [*or* Steward, &c.] to the said Society, according to the Rules thereof, then the above-written Bond shall be void and of no Effect; otherwise shall be and remain in full Force and Virtue.

SCHEDULE (F.)

Heads of Information to be furnished yearly to the Registrars by every Society.

Return of	Society, established at			
	Year ending			
DATE of balancing	Books in each Year	-	-	-

MEMBERS :—

Number admitted since last Balance	-	-	-
Number died since last Balance	-	-	-
Number withdrawn or expelled	-	-	-
Number of Members at this Date	{	Male	-
		Female	-
		Honorary	-

SICKNESS :—

Number of Members sick in the	{	Male	-
Year - - - - -		Female	-
Weeks and Days of Sickness	-	-	-

INCOME :—

Donations and Honorary Subscriptions	-	-
Entrance Money	-	-
Contributions for Sickness	-	-
Contributions for Annuities	-	-
Contributions for Sums on Death	-	-
Contributions for Endowments	-	-
Interest received	-	-
Total Income	-	-
Total Capital of Society [<i>here state where the same is placed</i>]	-	-

EXPENDITURE :

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED,

Passed in the THIRD Session of the FIFTEENTH Parliament of the United Kingdom of *Great Britain and Ireland*.

13° & 14° VICT.

- i. AN Act for carrying into effect an Agreement entered into between "*The Suffolk and General Country Amicable Insurance Office*" and "*The Alliance British and Foreign Life and Fire Assurance Company*."
- ii. An Act to authorize the *Bristol Waterworks Company* to raise a further Sum of Money.
- iii. An Act to give further Powers to the *Birkenhead Improvement Commissioners* for purchasing the *Woodside Ferry*, and for regulating their Mortgage Debt and facilitating the Sale of their Lands at *Birkenhead*.
- iv. An Act for better assessing and collecting the Poor's Rates, Highway Rates, the County, Shire Hall, Police, and other County Rates in the Parish of *West Bromwich* in the County of *Stafford*, and the Township of *Oldbury* in the Parish of *Hales Owen* in the County of *Worcester*, and which Parish of *West Bromwich* and Township of *Oldbury* are situate within the *West Bromwich Poor Law Union*.
- v. An Act to enable the Commissioners acting under an Act passed in the Sixth Year of the Reign of His late Majesty King *George the Fourth*, for better regulating, paving, improving, and managing the Town of *Brighthelmston* in the County of *Sussex*, and the Poor thereof, to purchase, improve, and manage the Royal Pavilion at *Brighton*, and the Grounds thereof, and to enlarge, extend, and apply the Powers and Provisions of the same Act with reference thereto.
- vi. An Act to authorize an Alteration in the Line of the *Buckinghamshire Railways at Oxford*.
- vii. An Act to extend the Time for the Purchase of certain Lands required for the *South Wales Railway*, and to amend the Acts relating thereto.

viii. An

- viii. An Act to authorize the *Wakefield* Borough Market Company to purchase certain Lands for a Market Place, and to make Approaches thereto.
- ix. An Act for better enabling the Clerical, Medical, and General Life Assurance Society to sue and be sued ; and to alter certain Provisions of their Deed of Constitution ; and to give further Powers to the Society.
- x. An Act to change the Name of "The Architects, Civil Engineers, Builders, and General Fire and Life Insurance, Annuity, and Reversionary Interest Company ;" and for other Purposes relating to the Company.
- xi. An Act to extend the Time for the Purchase of Lands required for the Completion of the *Dublin and Belfast Junction* Railway, and to amend the Acts relating to such Railway.
- xii. An Act for the more effectual Drainage and Improvement of certain Lands in the Parishes of *Ramsey, Upwood, and Great Raveley*, all in the County of *Huntingdon*.
- xiii. An Act for improving the *Glasgow and Shotts* Turnpike Roads.
- xiv. An Act to enable the *Londonderry and Enniskillen* Railway Company to extend their Line of Railway from *Strabane* to *Omagh* ; and to amend the Acts relating to the said Company.
- xv. An Act to amend the *Walsall* Improvement and Market Act, 1848, and for other Purposes.
- xvi. An Act for extinguishing the Vicarial Tithes in the Parishes of *Kew and Petersham* in the County of *Surrey* ; for confirming and regulating the Pew Rents of the Churches of the said Parishes ; for authorizing the Division of the Vicarage of *Kew and Petersham* ; and for other Purposes relating to such Vicarage.
- xvii. An Act for completing the Line of the *Londonderry and Coleraine* Railway, with Branch to *Newtownlimavady*, and for amending the Acts relating thereto.
- xviii. An Act to change the Name of the Licensed Victuallers and General Fire and Life Assurance Company, to the *Monarch* Fire and Life Assurance Company, and for better enabling the said Company to sue and be sued ; and to give additional Powers to the said Company.
- xix. An Act to authorize a Transfer of the Undertaking and Powers of "The *Carlisle* Gaslight and Coke Company" to the Mayor, Aldermen, and Citizens of the City of *Carlisle* ; to enable them to Light the said City and the Environs thereof, and to raise Money for such Purposes ; to repeal or amend and extend the Powers of the several Acts for lighting the said City and Environs, and for other Purposes.

xx. An

- xx. An Act for better regulating the Privileges of the Faculty of Physicians and Surgeons of *Glasgow*, and amending their Charter of Incorporation.
- xxi. An Act for incorporating the Colonization Assurance Company, and conferring certain Privileges on the said Company.
- xxii. An Act to incorporate the Society of the Guildry Fund of *Elgin*; to enable the said Society to sue and be sued; to regulate the said Society; and for other Purposes relating thereto.
- xxiii. An Act for enabling Her Majesty to grant a new Charter to the Royal College of Surgeons of *Edinburgh*, and for conferring further Powers on the said College.
- xxiv. An Act to enable the *Exeter and Crediton* Railway Company to enlarge their *Cowley Bridge* Station, and to raise a further Amount of Capital.
- xxv. An Act for better enabling the *Guardian* Fire and Life Assurance Company to sue and be sued, and to alter certain Provisions of their Deed of Settlement, and to give further Powers to the Company.
- xxvi. An Act to amend the Act relating to the *Shrewsbury and Hereford* Railway Company.
- xxvii. An Act to extend the Time for the Sale of such Lands belonging to the Company of Proprietors of the *Forth and Clyde* Navigation as may not be required for the Purposes of the said Navigation, and to amend the Acts relating thereto.
- xxviii. An Act for better supplying *Childwall*, *Thingwall*, *Little Woolton*, *Much Woolton*, and *Gateacre*, all in the County of *Lancaster*, with Water.
- xxix. An Act to amend the Acts relating to the *Waterford and Limerick* Railway, and for other Purposes.
- xxx. An Act for granting Facilities for the Use of certain Portions of the *Eastern Counties* Railways by the *London and Blackwall* Railway Company; and for amending the Acts relating to the *London and Blackwall* Railway.
- xxxi. An Act to enable the *South-eastern* Railway Company to raise a further Sum of Money.
- xxxii. An Act to explain and amend the *New North Road* Act, 1849.
- xxxiii. An Act for regulating legal Proceedings by or against the Committee of Railway Companies associated under the Railway Clearing System, and for other Purposes.
- xxxiv. An Act for supplying the Burghs of *Dumfries* and *Maxwelltown* and Suburbs with Water.
- xxxv. An Act to authorize Deviations in the Line of the *South Yorkshire, Doncaster, and Goole* Railway, the Extension

- sion of the *Elsecar* Branch of the said Railway to *Tankersley*, and the Amendment of the Acts relating to the said Railway.
- xxxvi. An Act to enable the *East and West India Docks and Birmingham Junction* Railway Company to make certain Branch Railways, and to amend the Act relating to the said Company, and to authorize the Lease of the said Undertaking, and for other Purposes.
- xxxvii. An Act for regulating the Markets and Fairs held within the Borough of *Cambridge*, and at *Reach* in the County of *Cambridge*, and for enlarging the Market Place, and for rebuilding or altering the Guildhall of the said Borough, and for the Improvement of the said Borough, and the better Regulation of the Police within the same.
- xxxviii. An Act to alter the Terms of Issue of the Shares in the Capital of the *York and North Midland* Railway Company, called the "*Hull and Selby* Purchase, &c. Shares;" to enable the said Company to hold Shares in the *Hull and Selby* Railway Company and in the *Malton and Driffield Junction* Railway Company; to alter, amend, and extend the Acts relating to the *York and North Midland* Railway Company; and for other Purposes.
- xxxix. An Act to enable the *Dundee and Perth and Aberdeen* Railway Junction Company to raise a further Sum of Money, and for other Purposes.
- xl. An Act for establishing Markets in and otherwise improving the Borough of *Bolton* in the County Palatine of *Lancaster*, and for extending the Provisions of the Acts relating to the *Bolton* Waterworks, and for other Purposes.
- xli. An Act to enable the Corporation of *Swansea*, with the Consent of the Lords Commissioners of Her Majesty's Treasury, to subscribe for Shares in the *Swansea* Dock Company, and to raise Money for that Purpose, and to purchase the Interests of certain Lessees of Property belonging to the said Corporation; and for other Purposes.
- xlii. An Act for providing, regulating, and maintaining a Cattle Market in the Borough of *Reading* in the County of *Berks*, and for constructing a convenient Market Place therein.
- xliii. An Act to amend the Act relating to the Harbour of *Montrose*, and to enable the Trustees to borrow a further Sum of Money.
- xliv. An Act to grant further Powers to the *South Wales* Railway Company with reference to the Creation of Shares and the Regulation of their Capital; and for other Purposes.
- xlv. An Act to grant further Powers to the *Dublin and Drogheda*

- hedu* Railway Company for raising Money by the Creation of Shares, in lieu of borrowing on Mortgage; and to amend the Acts relating to the *Dublin and Drogheda* Railway.
- xlvi. An Act for better assessing and collecting the Poor Rates, Highway Rates, and other Parochial Rates, the County, Shirehall, Police, and other County and local Rates, on Small Tenements, in the several Parishes, Townships, and Hamlets of *Stourbridge*, *Upper Swinford*, *Wollaston*, the *Lye*, *Wollescote*, *Cradley*, the Borough of *Halesowan*, *Hawn*, *Hasbury*, *Illy*, *Lutley*, the *Hill*, *Cakemore*, *Ridgacre*, and *Lapal*, in the County of *Worcester*, and *Kingswinford* and *Amblecote* in the County of *Stafford*, situate within and forming the *Stourbridge* Poor Law Union.
- xlvii. An Act for extending the Times limited by "The *Swansea* Dock Act, 1847," for the compulsory Purchase of Lands, and Execution of Works; and for other Purposes.
- xlviii. An Act for uniting the Townships of *Snaith* and *Cowick* in the Parish of *Snaith* in the West Riding of the County of *York*, and for other Parochial or Township Purposes.
- xlix. An Act for managing and repairing the Road leading from *Foxley Hatch* in the Parish of *Croydon* to the Town of *Reigate* in the County of *Surrey*.
- l. An Act for lighting with Gas the Town of *Pontypridd* and the Neighbourhood thereof in the County of *Glamorgan*.
- li. An Act to authorize the Construction of a Dock on the North Side of the River *Thames*, to be called "The *Victoria* (*London*) Dock."
- lii. An Act for supplying the City of *Norwich* and the Neighbourhood thereof with Water.
- liii. An Act to amend "The *Great North of England* Railway Purchase Act, 1846," and to enable the *York*, *Newcastle*, and *Berwick* Railway Company to complete the Purchase of the said Railway.
- liv. An Act for extending the Time and continuing the Powers granted by "The *Eastern Union and Harwich* Railway and Pier Act, 1847," for the compulsory Purchase of Lands and Houses, and for the Completion of Works, and for enabling "The *Eastern Union* Railway Company" to create new Shares, with certain Privileges attached, for paying off their Mortgage Debt; and for other Purposes.
- lv. An Act to extend the Time for the Purchase of Lands required for certain Branches of the *North Staffordshire* Railway to *Newcastle-under-Lyme*, *Silverdale*, and the *Apedale* Ironworks.
- lvi. An Act for making a new Street from the West Side of *Queen Street* to the South Side of *Saint Paul's Churchyard*, in continuation of the new Street from *Cannon Street* to the East

- East Side of *Queen Street*, and for effecting other Improvements in the City of *London*.
- lvii. An Act to authorize the abandoning of certain Portions of the *South Yorkshire, Doncaster, and Goole Railway*, a Deviation thereof near *Doncaster*, and the Amendment of the Acts relating thereto.
- lviii. An Act to enable the *South Staffordshire Railway Company* to lease their Undertaking; and for other Purposes.
- lix. An Act to enable the Company of Proprietors of the *Kent Waterworks* to raise a further Sum of Money; and to alter and amend the former Acts relating thereto.
- lx. An Act for amending and extending the Powers and Provisions of the Act of the Seventh Year of the Reign of King *William the Fourth*, relating to the *Southampton Waterworks*, and for other Purposes.
- lxi. An Act to amend the Acts relating to the *Great Northern Railway*, to authorize a Deviation at *Doncaster* and Two short Curves at *Peterborough*, and to alter the Tolls of the *Great Northern and East Lincolnshire Railways*.
- lxii. An Act to enable the *Waterford and Kilkenny Railway Company* to raise further Capital; and for other Purposes.
- lxiii. An Act for the Improvement and Regulation of the River *Tyne* and the Navigation thereof, and for other Purposes.
- lxiv. An Act to amend an Act passed in the Fifty-fifth Year of the Reign of King *George the Third*, intituled *An Act for more effectually repairing the Road leading from Heronsyke to Kirkby in Kendal, and from thence through Shap to Eamont Bridge, in the County of Westmoreland, and for making a new Road from the said Road at a Place called Far Cross Bank near Kirkby in Kendal, to communicate with the intended Canal from Lancaster to Kirkby in Kendal, and to join the said Road at or near a Place called the Lound near Kirkby in Kendal aforesaid*; and to continue the Term by the same Act granted.
- lxv. An Act to amend an Act passed in the Fifty-eighth Year of the Reign of King *George the Third*, intituled *An Act for making and maintaining a Turnpike Road from the Turnpike Road leading from Ulverstone to Kendal into the Turnpike Road leading from Milthorp to Kendal, and a Continuation of the said Road from the last-mentioned Turnpike Road to join the Turnpike Road leading from Lancaster to Kendal, and to continue the Term thereby granted*.
- lxvi. An Act for continuing the Term of an Act passed in the Fourth Year of the Reign of His late Majesty King *George the*

the Fourth, intituled *An Act for building a Bridge over the River Severn, at or near to the Mythe Hill within the Parish and near to the Town of Tewkesbury in the County of Gloucester, to the opposite Side of the said River in the Parish of Bushley in the County of Worcester, and for making convenient Roads and Avenues to communicate with such Bridge, within the Counties of Gloucester and Worcester, and of another Act passed in the Seventh Year of the Reign of His said late Majesty King George the Fourth, intituled An Act for altering, amending, and enlarging the Powers and Provisions of an Act relating to the Tewkesbury Severn Bridge and Roads, for the Purpose of Paying off the Debt now due on the said Bridge and Roads.*

lxvii. An Act for continuing and enlarging the Term and Powers of Three Acts passed in the Reign of His Majesty King George the Third, for repairing and widening several Roads leading to and from the Towns of *Bala and Dolgelley* in the County of *Merioneth*, and other Roads therein mentioned, in the Counties of *Montgomery, Denbigh, and Salop*, and for repairing several other Roads in the Counties of *Merioneth and Denbigh*.

lxviii. An Act for the better supplying with Water the Town of *Reading* and the Hamlet of *Whitley* in the County of *Berks*.

lxix. An Act for supplying with Water the Town and Port of *Cardiff* and the Neighbourhood thereof, in the County of *Glamorgan*.

lxx. An Act to provide for the Erection of public Slaughter-houses for the City of *Edinburgh*, and for the Regulation of the same.

lxxi. An Act to amend and extend the Provisions of the Act relating to the *Garstang and Heiring Syke* Turnpike Road.

lxxii. An Act to extend the Powers of the *Newcastle-upon-Tyne and Carlisle* Railway Company, and to amend Acts relating to their Railway.

lxxiii. An Act to incorporate the Members of the Shipwrecked Fishermen and Mariners Royal Benevolent Society, and to enable them better to carry into effect their charitable Designs.

lxxiv. An Act to extend the *Wolverhampton* Waterworks, and to amend the Act relating thereto.

lxxv. An Act for better supplying with Water the Borough of *Salford*, and for the further Improvement of the said Borough.

lxxvi. An Act to extend the Powers of the *Dundalk and Enniskillen* Railway Company for the Purchase of Lands and Completion of Works on Part of their Railway; and for other Purposes.

lxxvii. An

- lxxvii. An Act for extending and amending the Acts for regulating and improving the Borough of *Newcastle-upon-Tyne*.
- lxxviii. An Act for enabling the *Aberdeen* Railway Company to raise a further Sum of Money, and to alter their Station and the Levels of their Railway at and near *Aberdeen*; for repealing "The *Great North of Scotland* Railway Act, 1847;" for altering, amending, and extending the Acts relating to the *Aberdeen* Railway; and for other Purposes.
- lxxix. An Act for repealing an Act relating to the Borough of *Bradford* in the County of *York*, and for better paving, lighting, watching, draining, and otherwise improving the said Borough, and for the better Regulation and Management thereof.
- lxxx. An Act to extend the Time limited by the *Liverpool* Corporation Waterworks Act, 1847, for purchasing Lands and constructing the Works authorized by such Act, and for other Purposes.
- lxxxi. An Act for continuing the Term of the *Cromford and Newhaven* Turnpike Road Act, and for other Purposes.
- lxxxii. An Act for confirming an Agreement for the Sale of the Freehold and Leasehold Hereditaments and Premises, Works, Property, Gear and Fixtures, of the *Poplar* Gaslight Company, to the *Commercial* Gas Company, and for the Dissolution of the *Poplar* Gaslight Company.
- lxxxiii. An Act to enlarge the Powers of the *Lancashire and Yorkshire* Railway Company, and to amend the Acts relating to their Undertakings.
- lxxxiv. An Act for continuing the *Godstone and Highgate* Turnpike Trust for a limited Period, for the Purpose of paying off the Mortgage Debt.
- lxxxv. An Act for repairing the Road leading from a certain Point in the *Kennington Road* in the Parish of *Saint Mary Lambeth* in the County of *Surrey* to *Highgate* in the County of *Sussex*, and thence to *Witchcross* in the same County, and several other Roads therein mentioned.
- lxxxvi. An Act for forming and regulating the *British* Electric Telegraph Company, and to enable the said Company to work certain Letters Patent.
- lxxxvii. An Act for more effectually repairing and improving the Road from *Rochdale*, through *Bamford* and *Birtle*, to *Bury*, and several other Roads therein mentioned, all in the County Palatine of *Lancaster*.
- lxxxviii. An Act to enable the *Midland Great Western* Railway

- Railway of *Ireland* Company to make certain Deviations in the Line of their Railway, and for other Purposes.
- lxxxix. An Act for extending and amending the Powers of the Timber Preserving Company's Acts; and to enable the Company to buy, improve, and sell Substances to be preserved, and to work Mills and Machinery.
- xc. An Act for continuing the Term of "*The Birmingham and Pershore Turnpike Road Act*," and for other Purposes.
- xc. An Act for constructing a Bridge across the River *Clyde*, opposite to *South Portland Street, Laurieston, Glasgow*.
- xcii. An Act to amend "*The Gorbals Gravitation Water Company Act, 1846*," to authorize the Extension of the Works, and the Construction of new Works to supply the Town or Royal Burgh of *Rutherglen* and other Places with Water.
- xciii. An Act for better paving, lighting, watching, cleansing, and otherwise regulating and improving the City and Township of *Peterborough* in the Liberty of *Peterborough* in the County of *Northampton*, and for establishing a Cemetery therein.
- xciv. An Act to make better Provision for raising Funds to complete the Railway and Dock Undertakings of the *Manchester, Sheffield, and Lincolnshire Railway Company*, and for other Purposes.
- xcv. An Act to authorize certain Alterations in the Line of the *Liverpool, Crosby, and Southport Railway*, and for other Purposes.
- xcvi. An Act for paving, draining, cleansing, lighting, and otherwise improving the Township of *Bilston* in the County of *Stafford*, and for establishing a Local Board of Health in that Township; and also for better supplying with Water and Gas the said Township of *Bilston*, and for constructing Cemeteries there, and for purchasing, improving, maintaining, and regulating the Market and Market Place therein; and for other Purposes.
- xcvii. An Act for the Dissolution of the *East of Fife Railway Company*, and for the Abandonment of the Railway.
- xcviii. An Act to enable the *West Cornwall Railway Company* to make a Deviation in and a Branch Railway from their authorized Line of Railway; and for other Purposes.
- xcix. An Act to enable the *Liverpool, Crosby, and Southport Railway Company* to sell or lease their Railway to the *Lancashire and Yorkshire Railway Company*.
- c. An Act to carry into effect Arrangements made between the Commissioners of Her Majesty's Woods and the Trustees

- Trustees of the *Birkenhead Docks*; to amend the Acts relating to the said Docks, and to extend the Time for Completion of Works; and for other Purposes.
- ci. An Act for the Extension and better Regulation and Management of the Markets and Slaughter-houses in the City of *Glasgow*.
- cii. An Act for amending and enlarging the Powers and Provisions of "The *Westminster Improvement Act, 1845*," and "The *Westminster Improvement Act, 1847*," to extend the Time for the compulsory Purchase of Lands, and for other Purposes.
- ciii. An Act for continuing the Term of an Act passed in the Seventh Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act for making a Turnpike Road from Saint John's Chapel in the Parish of Saint Marylebone to the North-east End of Ballard's Lane, abutting upon the North Road in the Parish of Finchley, with a Branch therefrom, in the County of Middlesex*, for the Purpose of paying off the Debt now due on the said Roads, and providing for the future Management thereof.
- civ. An Act for better constituting the District Church of *Saint Michael, Chester Square*, in the County of *Middlesex*.
- cv. An Act to give Effect to certain Securities upon the Rates authorized to be levied under the *Wolverhampton Improvement Act*.
- cvi. An Act for incorporating "The Class A. Shareholders of the *St Andrew's and Quebec Railroad Company*," and conferring on them certain Powers.
- cvi. An Act for facilitating the Erection of a Church to be called "*St Gabriel's*" in the District Parish of *St Peter Pimlico* in the County of *Middlesex*, and for other Purposes.
- cvi. An Act for better improving the Borough of *Belfast*.
- cix. An Act to alter and amend the Acts relating to the Navigation of the River *Lee* in the Counties of *Hertford, Essex, and Middlesex*; and to enable the Trustees further to improve the Navigation and to dispose of the surplus Water; and for other Purposes.
- cx. An Act to amend the Acts relating to the *Oxford, Worcester, and Wolverhampton Railway Company*, and to confer additional Powers upon the same Company and upon certain other Companies, and for other Purposes.
- cxi. An Act to enable the *Hartlepool West Harbour and Dock Company* to alter and improve their Harbour and construct additional Works; and for amending an Act passed in the Tenth Year of the Reign of Her present Majesty, called "*The Hartlepool West Harbour and Dock Act, 1847*."

cxii. An

- cxii. An Act to enable the Commissioners of *Westminster Bridge* to build a temporary Bridge across the River *Thames* from *Bridge Street* in the City of *Westminster* to the opposite Shore in the County of *Surrey*.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN
IN EVIDENCE.

1. AN Act for the Management of the Allotments made to the Freemen of *Nottingham* by virtue of certain Acts for inclosing Lands in the Parish of *Saint Mary* in the Town and County of the Town of *Nottingham*.
2. An Act to authorize the granting of Building and Improvement Leases of the settled Estates of *Elizabeth Lydia Brigstocke*, situate in the Town of *Rhyde* in the *Isle of Wight*.
3. An Act to authorize the Purchase by the *Prussian* Minister of a Residence in *England* for the Use of the *Prussian* Legation, and to regulate the future holding of the same.
4. An Act to authorize the sale of certain Real Estates situate at *Hoddesdon* in the County of *Hertford*, and in the Parish of *Saint James Westminster* in the County of *Middlesex*, and in *Tottenham Court Road* in the said County of *Middlesex*, which belonged to the late *René Briand* deceased.
5. An Act for authorizing certain Agreements between the Chancellor and Council of Her Majesty's Duchy of *Lancaster* and Sir *Peter Hesketh Fleetwood* Baronet to be carried into effect; and for other Purposes.
6. An Act for confirming and carrying into effect an Exchange heretofore made or attempted to be made between the Right Honourable *George* late Earl of *Shrewsbury* and *John Grace* of *Whitby* in the County of *Chester*, deceased.
7. An Act for confirming certain Leases granted by the Mayor and Commonalty and Citizens of the City of *London* Governors of the Possessions, Revenues, and Goods of the Hospital of *Edward* late King of *England* the Sixth, of *St. Thomas the Apostle*, commonly called *St. Thomas's Hospital*, and for enabling them to grant Building and other Leases of their Estates.
8. An Act for carrying into effect a Contract for the Sale of Messuages and Lands situate in the Parish of *Barford* in the County of *Warwick* belonging to the Rectory of the same

- same Parish, and for vesting in Trustees certain Cottages and Lands situate in the Parish of *Barford* aforesaid, being Part of the Real Estate devised by the Will of *Jane Mills* Widow, deceased, upon trust to complete a Contract for the Sale thereof.
9. An Act for creating Powers of Sale in the Freehold and Copyhold Estates comprised in the Marriage Settlement of *William Bernard Harcourt*, deceased, with *Elizabeth Georgiana Harriet*, his wife.
 10. An Act for establishing a School for Orphans of Freemen of the City of *London*.
 11. An Act to authorize the Trustees of certain Estates called the *Chandos* Estates, settled by a Deed dated the Third Day of *May* One thousand eight hundred and twenty-eight on the Most Noble *Richard Plantagenet* Duke of *Buckingham and Chandos* and his Issue, to lay out the Monies produced by Sales of Parts of the same Estates in the Purchase of the Family Estates of the said Duke of *Buckingham and Chandos* called the *Buckingham* Estates, notwithstanding certain Family Charges thereon, either with an Indemnity against such Charges, to be approved of by the Court of Chancery, or with a proportionate Deduction from the Purchase Money; to extend the Powers of reinvesting a Part of the same Monies; and to authorize the granting of Building Leases of Parts of the first-mentioned Estates; and for other Purposes.
 12. An Act to enable the Trustees of the Will of the late Sir *John Lowther Johnstone* Baronet, deceased, to grant Building and Repairing Leases for Ninety-nine Years of the Estate devised by the said Will situate in the Boroughs of *Weymouth* and *Melcombe Regis* and in the Parish of *Radi-pole* in the County of *Dorset*, and for other Purposes.
 13. An Act for giving Effect to a Compromise relating to the Estate of the Right Honourable *George Alan* Viscount *Midleton*, deceased, and, with a View thereto, for vesting the Estates in *England* and *Ireland* late of the said Viscount *Midleton* in Trustees; and for other Purposes.
 14. An Act to enable the Trustees of the Will of the Right Honourable *Henry* Earl of *Thanet* deceased to raise Money upon the Security of his Estates, for the Repair and Improvement of the Buildings thereon.
 15. An Act to enable the Right Honourable *Henry* Earl of *Effingham* and others to grant Building, Mining, and other Leases of certain Freehold Estates in the Townships of *Rotherham* and *Kimberworth* in the County of *York*, devised by the Will of the Right Honourable *Richard* late Earl of *Effingham*; and for other Purposes.

16. An

16. An Act for authorizing the Sale of Estates in the County of *York* devised by the Will of Sir *Henry Maghul Mervin Vavasour* Baronet, deceased; and for other Purposes.
17. An Act to authorize the Trustees of the Will of *William Mellish* Esquire, deceased, to invest a Portion of the Funds subject to the Trusts of the Will of the said *William Mellish* in the Purchase of the Family Estates in *Ireland* of the Right Honourable *Richard* Earl of *Glengall*.
18. An Act to enlarge and consolidate the Provisions of Two Acts of Parliament relating to the Estates of *John Bowes* late Earl of *Strathmore*.

PRIVATE ACTS,

NOT PRINTED.

19. An Act to dissolve the Marriage of *John Bernard Hartley* Esquire with *Harriet Say Hartley* his now Wife, and to enable him to marry again; and for other Purposes.
20. An Act to dissolve the Marriage of *Thomas Cobbe* Esquire with *Azelie Anne Cobbe* his now Wife, and to enable him to marry again; and for other Purposes.
21. An Act to dissolve the Marriage of Lieutenant-Colonel *Proby Thomas Cautley* and *Frances* (his now Wife,) and to enable him to marry again; and for other Purposes.
22. An Act to dissolve the Marriage of *William Chippindall* with *Mary Anne Chippindall* his now Wife, and to enable him to marry again; and for other Purposes.
23. An Act to dissolve the Marriage of the Reverend *Edward Quenby Ashby* with *Elizabeth Sophia* his now Wife, and to enable him to marry again; and for other Purposes.
24. An Act to dissolve the Marriage of the Right Honourable *Henry Pelham Pelham Clinton* commonly called Earl of *Lincoln* with the Honourable Lady *Susan Harriet Catherine Pelham Clinton* commonly called Countess of *Lincoln* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
25. An Act to dissolve the Marriage of *Georgiana Hall* with *Henry Foley Hall* her now Husband, and to enable the said *Georgiana Hall* to marry again; and for other Purposes therein mentioned.

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A
COLLECTION
OF THE
PUBLIC GENERAL STATUTES
AFFECTING SCOTLAND,

PASSED IN THE
FOURTEENTH AND FIFTEENTH YEAR

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the FOURTH SESSION of the FIFTEENTH PARLIAMENT
of the United Kingdom of *Great Britain and Ireland*.

WITH

GENERAL INDEX,

AND TABLES OF ALL THE GENERAL, LOCAL, AND PRIVATE ACTS
PASSED IN THE ABOVE SESSION.



Printed by Authority of
Her Majesty's sole and only Master Printers for Scotland
BY WILLIAM BLACKWOOD AND SONS,

EDINBURGH

1851.

S. Robertson

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AND. RUTHERFURD.

LONDON, 31st March 1848.

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THE
PUBLIC GENERAL STATUTES

[AFFECTING SCOTLAND.]

ANNO DECIMO QUARTO
VICTORIÆ REGINÆ.

CAP. I.

An Act to amend the Passengers Act, 1849.—[1st April 1851.]

CAP. II.

An Act to authorize the Inclosure of certain Lands in pursuance of the Sixth Annual Report of the Inclosure Commissioners.—[1st April 1851.] (England & Wales.)

CAP. III.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-one.—[1st April 1851.]

CAP. IV.

CAP. IV.

An Act to enable Her Majesty to appoint a Vice-Chancellor in the Room of Sir James Wigram resigned.—
[1st April 1851.]

CAP. V.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.—[11th April 1851.]

CAP. VI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.—
[11th April 1851.]

CAP. VII.

An Act to amend an Act of the Parliament of Ireland of the Twenty-fifth Year of King George the Third, for explaining and amending several Laws for the Encouragement of Agriculture, so far as relates to Leases for the Erection of Mills.—[11th April 1851.]

CAP. VIII.

An Act to extend the Provisions of the Designs Act, 1850, and to give Protection from Piracy to Persons exhibiting new Inventions in the Exhibition of the Works of Industry of all Nations in the Year One thousand eight hundred and fifty-one.—[11th April 1851.]

CAP. IX.

An Act for raising the Sum of Seventeen Millions seven hundred and fifty-six thousand six hundred Pounds
by

by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-one.—[20th May 1851.]

CAP. X.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.—[20th May 1851.]

CAP. XI.

An Act for the better Protection of Persons under the Care and Control of others as Apprentices or Servants; and to enable the Guardians and Overseers of the Poor to institute and conduct Prosecutions in certain cases.—[20th May 1851.] (England & Wales.)

CAP. XII.

An Act to continue the Duties on Profits arising from Property, Professions, Trades, and Offices, and to amend the Act imposing the same.—[5th June 1851.]

Most Gracious Sovereign,

WHEREAS by an Act passed in the Fifth and Sixth Years of Your Majesty's Reign, intituled, *An Act* 5 & 6 Vict. c. 35. for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices until the Sixth Day of April One thousand eight hundred and forty-five, certain Rates and Duties arising from Property, Professions, Trades, and Offices were granted to Your Majesty for a Term therein limited and now expired; and by Two several Acts passed respectively in the Eighth and Eleventh Years of Your Majesty's Reign the same Rates and Duties were continued 8 & 9 Vict. c. 4. 11 & 12 Vict. c. 8. for Two several and successive Terms, the latter of such Terms expiring with the Fifth Day of April One thousand eight hundred and fifty-one: We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses,

penses, have freely and voluntarily resolved to continue the said Rates and Duties, and to grant the same to Your Majesty for the Period herein-after limited; and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That,—

Rates and Duties granted by first-recited Act further continued for One Year.

I. The several Rates and Duties, by the said first-recited Act granted shall be and the same are hereby continued, and shall be charged, raised, levied, collected, and paid unto and for the use of Her Majesty, Her Heirs and Successors, from and after the Fifth Day of *April* One thousand eight hundred and fifty-one, for the Term of One Year thence next ensuing, and until the Assessments made or which ought to be made for the last Year of the said Term, or for any preceding Year, shall be completed, collected, levied, and paid.

First-recited Act and the several other Acts continued in force.

II. The said first-recited Act, and all and every other Act and Acts in force upon or immediately before the Fifth Day of *April* One thousand eight hundred and fifty-one, in relation to the Duties granted by the said first-recited Act, shall severally be continued and remain in full Force and Effect in relation to the Duties hereby continued and granted as aforesaid; and all and every the Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Acts or any of them, and in force as aforesaid, shall (so far as the same shall be consistent with and shall not be superseded by the express Provisions of this Act) severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties hereby continued and granted, as well during the Term herein limited as after the Expiration thereof respectively, for assessing, levying, recovering, paying, deducting, and accounting for the said Duties and all Arrears thereof, and for re-assessing the same in default of Payment, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred in relation to the said Duties, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby continued and granted as aforesaid.

Abatement to be made from Assessments on Tenant

III. That if at the End of the Year of Assessment of the said Duties under this Act any Person occupying Lands for the Purposes of Husbandry only, and obtaining his Livelihood principally from Husbandry, who shall have been assessed in
the

the said Year to the Duties chargeable under Schedule (B.) of the said first-recited Act in respect of such Lands, shall find, and shall prove to the Satisfaction of the Commissioners by whom the Assessment was made, that his Profits and Gains arising from the Occupation of such Lands during the said Year fell short of the Sum on which the Assessment was made, it shall be lawful for the said Commissioners, upon Appeal made to them in that Behalf within three Calendar Months after the Expiration of the said Year, and of which Notice in Writing shall be given to the Surveyor of Taxes for the District, to cause an Abatement to be made from the Amount of the said Duties charged on such Appellant proportionate to the Deficiency of his said Profits and Gains; and in case the whole Sum assessed shall have been paid, the Amount of the Sum overpaid shall be certified and repaid in like Manner as is provided by Section 133 of the said first-recited Act in the Case of any Over-payment of the Duties assessed under Schedule (D.) of the same Act.

Farmers where Profits fall short of such Assessments.

CAP. XIII.

An Act to regulate the Sale of Arsenic.—[5th June 1851.]

WHEREAS the unrestricted Sale of Arsenic facilitates the Commission of Crime: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Every Person who shall sell any Arsenic, shall forthwith, and before the Delivery of such Arsenic to the Purchaser, enter, or cause to be entered, in a fair and regular Manner, in a Book or Books to be kept by such Person for that Purpose, in the Form set forth in the Schedule to this Act, or to the like Effect, a Statement of such Sale, with the Quantity of Arsenic so sold, and the Purpose for which such Arsenic is required, or stated to be required, and the Day of the Month and Year of the Sale, and the Name, Place of Abode, and Condition or Occupation of the Purchaser, into all which Circumstances the Person selling such Arsenic is hereby required and authorized to inquire of the Purchaser before the Delivery to such Purchaser of the Arsenic sold, and such Entries shall in every Case be signed by the Person making the same, and shall also be signed by the Purchaser, unless such Purchaser profess to be unable to write, (in which Case the Person making the Entries hereby required, shall add to the

On every Sale of Arsenic, Particulars of Sale to be entered in a Book by the Seller in Form set forth in Schedule to this Act.

the Particulars to be entered in relation to such Sale, the Words "cannot write,") and, where a Witness is hereby required to the Sale, shall also be signed by such Witness, together with his Place of Abode.

Restric-
tions as to
Sale of
Arsenic.

II. No Person shall sell Arsenic to any Person who is unknown to the Person selling such Arsenic, unless the Sale be made in the Presence of a Witness who is known to the Person selling the Arsenic, and to whom the Purchaser is known, and who signs his Name, together with his Place of Abode, to such Entries, before the Delivery of the Arsenic to the Purchaser, and no Person shall sell Arsenic to any Person other than a Person of full Age.

Provision
for colour-
ing of
Arsenic.

III. No Person shall sell any Arsenic unless the same be before the Sale thereof mixed with Soot or Indigo in the Proportion of One Ounce of Soot or Half an Ounce of Indigo at the least to One Pound of the Arsenic, and so in proportion for any greater or less quantity: Provided always, that where such Arsenic is stated by the Purchaser to be required, not for Use in Agriculture, but for some other Purpose for which such Admixture would, according to the Representation of the Purchaser, render it unfit, such Arsenic may be sold without such Admixture in a Quantity of not less than Ten Pounds at any One Time.

Penalty
for offend-
ing against
this Act.

IV. If any Person shall sell any Arsenic, save as authorized by this Act, or on any Sale of Arsenic shall deliver the same without having made and signed the Entries hereby required on such Sale, or without having obtained such Signature or Signatures to such Entries as required by this Act, or if any Person purchasing any Arsenic shall give false Information to the Person selling the same in relation to the Particulars which such last-mentioned Person is hereby authorized to inquire into of such Purchaser, or if any Person shall sign his Name as aforesaid as a Witness to a Sale of Arsenic to a Person unknown to the Person so signing as Witness, every Person so offending shall for every such Offence upon a summary Conviction for the same before Two Justices of the Peace in *England* or *Ireland*, or before Two Justices of the Peace or the Sheriff in *Scotland*, be liable to a Penalty not exceeding Twenty Pounds.

Act not to
prevent
Sale of
Arsenic in
Medicine
under a
Medical
Prescrip-
tion.

V. Provided, That this Act shall not extend to the Sale of Arsenic when the same forms Part of the Ingredients of any Medicine required to be made up or compounded according to the Prescription of a legally qualified Medical Practitioner, or a Member of the Medical Profession, or to the Sale of Arsenic by Wholesale to Retail Dealers, upon Orders in Writing in the ordinary course of Wholesale Dealing.

VI. In

VI. In the Construction of this Act the Word "Arsenic" shall include Arsenious Acid and the Arsenites, Arsenic Acid and the Arseniates, and all other colourless poisonous Preparations of Arsenic.

"Arsenic" to include Arsenious Compounds.

The SCHEDULE.

Day of Sale.	Name and Surname of Purchaser.	Purchaser's Place of Abode.		Condition or Occupation.	Quantity of Arsenic sold.	Purpose for which required.
1 September 1851.	John Thomas.	Hendon.	Elm Farm.	Farm Labourer.	5 lbs.	To steep Wheat.

(Purchaser's Signature,)

John Thomas.

Witness,

James Stone,

(Seller's Signature,)

George Wood.

Or, if Purchaser cannot write, Seller to put here the Words, "cannot write."

Grove Farm, Hendon.

CAP. XIV.

An Act to amend the Law for the Registration of certain Persons commonly known as "Compound Householders," and to facilitate the Exercise by such Persons of their Right to Vote in the Election of Borough Members to serve in Parliament.—[3d July 1851.]
(England & Wales.)

CAP. XV.

An Act to amend the Court of Chancery (Ireland) Regulation Act, 1850.—[3d July 1851.]

CAP. XVI.

An Act for the better Management and Control of the Highways in South Wales.—[3d July 1851.]

CAP. XVII.

An Act further to explain and amend an Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland.—[3d July 1851.]

CAP. XVIII.

CAP. XVIII.

An Act to continue the Stamp Duties granted by an Act of the Fifth and Sixth Years of Her present Majesty to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same.—[3d July 1851.]

CAP. XIX.

An Act for the better Prevention of Offences.—[3d July 1851.] (England.)

CAP. XX.

An Act to extend the Remedies provided by the Renewable Leasehold Conversion Act, for the Recovery of Fee-farm Rents under that Act, to all other Fee-farm Rents, and to other Rents in Ireland reserved upon Grants of Land in which the Grantors have no Reversion.—[3d July 1851.]

CAP. XXI.

An Act to amend an Act of the Sixth and Seventh Years of Her Majesty, to amend an Act of the Nineteenth and Twentieth Years of King George the Third, for empowering Grand Juries in Ireland to present Bridges, and Tolls to be paid for passing the same, in certain cases.—[3d July 1851.]

CAP. XXII.

An Act to continue the Surrender of Great Britain, Berwick-upon-Tweed, and the Isle of Man.—[24th July 1851.]

CAP. XXIII.

An Act to authorize for a further period the Advance of Money out of the Consolidated Fund to a limited Amount

Amount for carrying on Public Works and Fisheries and Employment of the Poor.—[24th July 1851.]

CAP. XXIV.

An Act to amend the Acts for the granting of Sites for Schools.—[24th July 1851.]

WHIEREAS by the Statute Fourth and Fifth *Victoria*, Chapter Thirty-eight, Power is given to divers Persons therein mentioned to grant, convey, and enfranchise a certain Portion of Land for the Purpose of a Site for a School for the Education of poor Persons, or for the Residence of a School-master or Schoolmistress, or otherwise for the Education of poor Persons in religious and useful Knowledge, and Provisions are contained therein for facilitating the Conveyance of such Sites and perpetuating the Trusts of the Deeds: And whereas the Persons therein mentioned having been authorized to grant any Number of Sites for distinct and separate Schools, and Residences for the Master or Mistress thereof, it is provided that the Site of each School and Residence should not exceed the extent of One Acre, and it is also provided that not more than One such Site should be in the same Parish: And whereas by the Twelfth and Thirteenth *Victoria*, Chapter Forty-nine, it is declared and enacted, that nothing in the last-recited Act contained should prevent any Person or Corporation from granting any Number of Sites for separate and distinct Schools in the same Parish, provided the aggregate Quantity of Land granted by such Person in the same Parish should not exceed the Extent of One Acre: And whereas by reason of the great extent of some Parishes, wherein the Population is very large, this Limitation is found to be productive of Inconvenience, and to prevent the Extension of the Education of the Poor; and it is desirable to make further Provision in this Behalf: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Word Parish in the Sections of the Statutes herein referred to shall, in the Case of any Parish which has heretofore been or shall hereafter be divided by lawful Authority into Two or more Ecclesiastical Districts, whether confined to such Parish, or comprising also any Part of another Parish, be

The Word Parish in the 4 & 5 Vict. c. 38. s. 9. and 12 & 13 Vict. c. 49. s. 3. to signify an Ecclesiastical construed

District in any divided Parish. construed with reference to such Parish to signify each such Ecclesiastical District.

Incorporation of this Act with recited Acts. II. This Act shall be construed as and be deemed to be a part of the said recited Acts, except so far as it amends the same.

CAP. XXV.

An Act to improve the Law of Landlord and Tenant in relation to Emblements, to growing Crops seized in Execution, and to Agricultural Tenants' Fixtures.

—[24th July 1851.] (England.)

CAP. XXVI.

An Act to amend the Acts relating to the British White Herring Fishery.—[24th July 1851.]

WHEREAS the following Acts were passed for the Encouragement and Regulation of the *British White Herring Fishery*; viz., an Act of the Forty-eighth Year of King *George* the Third, Chapter One hundred and ten; an Act of the Fifty-first Year of His said Majesty, Chapter One hundred and one; an Act of the Fifty-second Year of His said Majesty, Chapter One hundred and fifty-three; an Act of the Fifty-fourth Year of His said Majesty, Chapter One hundred and two; an Act of the Fifty-fifth Year of His said Majesty, Chapter Ninety-four; an Act of the First Year of King *George* the Fourth, Chapter One hundred and three; an Act passed in the Session of Parliament holden in the First and Second Years of His said Majesty, Chapter Seventy-nine; an Act of the Fifth Year of His said Majesty, Chapter Sixty-four; an Act of the Seventh Year of His said Majesty, Chapter Thirty-four; an Act of the First Year of His Majesty King *William* the Fourth, Chapter Fifty-four; an Act of the Session of Parliament holden in the Sixth and Seventh Years of Her present Majesty, Chapter Seventy-nine; and an Act of the Session of Parliament holden in the Tenth and Eleventh Years of Her said Majesty, Chapter Ninety-one: And whereas it is expedient that the said recited Acts should be altered and amended: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

present Parliament assembled, and by the Authority of the same,—

I. That every Enactment or Provision contained in the said recited Acts or any of them whereby it is or may be held to be required that Fifteen clear Days should intervene between the Day of the salting White Herrings and the Day on which the Barrels containing such Herrings, whether Bung-packed or repacked, should be marked or branded, shall be and the same is hereby repealed.

II. That from and after the passing of this Act it shall be lawful for the Commissioners of the Herring Fishery, in virtue of the Powers conferred upon them by the said recited Acts or any of them and by this Act, from Time to Time to regulate and fix the Period which shall intervene between the Day on which White Herrings, whether Bung-packed or repacked, shall be salted, and the Day on which the Barrels containing such Herrings, whether Bung-packed or repacked, shall be entitled to be branded, such Period being not more than Fifteen clear Days after the salting of the same; and the said Commissioners shall, before any Regulations made by them for the Purposes aforesaid are to come into operation, cause Notice thereof to be given by Publication of the same once in the *Edinburgh Gazette*, and also by affixing printed Copies thereof on some conspicuous Place or Places at the various Herring Fishing Stations in *Scotland*; and nothing in the said recited Acts or any of them shall prevent the Exportation, subject to the other Provisions of the said recited Acts, to Ports or Places in *Europe* or out of *Europe*, of Herrings branded within the Periods to be authorized by the Regulations to be so made and published by the said Commissioners.

III. That the Penalties and Forfeiture by the Fiftieth Section of the said recited Act of the Forty-eighth Year of King *George* the Third imposed upon any Person fraudulently burning or branding, or causing to be burnt or branded, any Barrel or Cask of Herrings, shall attach and apply to and be enforced against any Person who shall fraudulently, or without the Authority of an Officer of the Fishery, burn or brand, or cause to be burnt or branded, or illegally have in his Custody or Possession any Instrument for the Purpose of burning or branding, any empty Barrel or Cask, with any such Mark or Marks, Character or Characters as are referred to in the said Section, in such and the like Manner as if such Section as hereby extended were re-enacted herein.

IV. That so much of the said recited Acts or any of them as requires that Herrings repacked with Great Salt only shall be

Necessity of the Expiration of Fifteen Days between salting and branding White Herrings repealed—Commissioners to regulate the Time (being not more than Fifteen Days) between salting and branding.

Penalty for fraudulently branding Barrels filled with Herrings applied to fraudulently branding empty Barrels or Casks.

Repealing the Necessity of re-

packing
Herrings
for Export-
ation with
Great Salt.

be exported to any Place out of *Europe* shall be and the same is hereby repealed ; and it shall hereafter be lawful to repack Herrings with Great Salt or other Salt, and, subject to the other Provisions of the said recited Acts, to export to any Place out of *Europe* such Herrings so repacked ; and it shall in like manner be lawful to ship Coastwise for Exportation unbranded Herrings, without the Production of any Notice or Certificate required by the said recited Acts.

Authoriz-
ing the
Exporta-
tion of
Barrels
under
Weight
when the
Fish have
not been
Ten Days
in Salt.

V. That the Prohibition and Forfeiture applicable under the Thirty-fifth Section of the said recited Act of the Fifty-fifth Year of King *George* the Third to Barrels of Herrings of the Description and containing less than the Quantity and Weight of Fish therein set forth, shipped or tendered for shipping to any Port or Place in *Europe* or out of *Europe*, shall not be applicable or apply to the Exportation to any Port or Place in *Europe* or out of *Europe* of Herrings shipped or intended to be shipped as aforesaid which shall not have lain Ten Days in Salt.

As to Nets
to be used
when the
regular
Herring
Fishery is
commenc-
ed.

VI. That whenever the Herring Fishery is commenced or carried on it shall not be lawful for any Person to use for the Purpose of taking Herrings any Drag Net or Sea Net mounted for trawling, or any Sweep, Circle, Ring Net, or Scringe Net, or any Net prohibited by the said recited Acts or any of them, or any Net of any Kind or Description whatsoever other than the usual Drift Net, or to use any Drift Net by dragging the same through the Water in the Manner of trawling ; nor shall it be lawful to take or have on board of any Fishing Vessel or Boat, during the Time of the Herring Fishery, any Net of any Description other than Drift Nets ; and every such Net other than Drift Nets, used as aforesaid, or found on board of any Fishing Vessel or Boat during the Herring Fishery, or found on shore, or in the Possession of any Person for the Purpose of being so used, shall be liable to be seized by any Superintendent of the Herring Fishery, or Person acting under his Order, or by any Officer of the Fishery ; and any Person using or having on board any Fishing Vessel or Boat, or having on shore for the Purpose of being used as aforesaid, any Net contrary to the Provisions of the said recited Acts or any of them, or this Act, shall be subject and liable to the Penalties imposed in that Behalf by the said recited Acts or any of them, and any Net so seized shall be liable to Forfeiture in Terms of the said Acts.

For secur-
ing the Use
of Quarter
Cran Bas-

VII. That in order to secure the Delivery to the Purchaser or Curer of the Quantity of Herrings purported to be sold, in Situations where the Standard Measure of the Cran cannot be

be conveniently used, no Boat's Crew, while selling and delivering fresh Herrings by Measure, shall use or have on board any Herring Boat any Fish Basket or Measure of less Capacity than One Fourth Part of a Cran, that is to say, such as on being filled Four Times with Herrings shall make a complete Cran; and any Person selling or delivering Herrings by any Basket or Measure of less Capacity than aforesaid shall be liable in the Forfeiture and Penalty imposed by the said recited Act of the Fifty-fifth *George* Third upon Persons using any Cran or Measure not properly branded.

ket or
Measure.

VIII. That it shall be competent to enforce or sue for any Forfeiture or Penalty imposed by the said recited Acts or any of them or by this Act in the Manner provided by the said recited Acts or this Act, in the Name of the Secretary of the Board for the Time being, or the Procurator-Fiscal of the County or of the Burgh or Town where the Offence is to be tried, or by the Superintendent of the Herring Fishery, or by any Officer of the said Fishery.

Forfeit-
ures and
Penalties
by whom
to be en-
forced and
sued for.

IX. That it shall be lawful for any Judge trying any Offence under the said recited Acts or any of them or this Act, who in pronouncing Sentence shall decern against any Offender for Payment of any Penalty and Expenses, to grant Warrant also (failing Payment of such Penalty and Expenses, or failing Security being found to the Satisfaction of the Court for such Payment, within Forty-eight Hours after the same shall have been decerned for,) to imprison such Offender for any Period not exceeding Thirty Days, unless such Penalty and Expenses shall be sooner paid.

Sentence
for Penalty
may con-
tain De-
cerniture
for Impri-
sonment,
failing Pay-
ment or
Security.

CAP. XXVII.

An Act to amend certain Acts for the Improvement of Prisons and Prison Discipline in Scotland.—[24th July 1851.]

WHEREAS an Act was passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to improve Prisons and Prison Discipline in Scotland*; and another Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend and continue, until the First Day of September One thousand eight hundred and sixty-one, and to the End of the then next Session of Parliament, the Law with respect to Prisons and Prison Discipline in Scotland*: And whereas it was by the said

2 & 3 Vict.
c. 42.

7 & 8 Vict.
c. 34.

said

said Second Act enacted, that the said First Act as amended by the said Second Act should continue in force until the First Day of *January* One thousand eight hundred and sixty-one, and from thence to the End of the then next Session of Parliament: And whereas it is expedient that the said Acts should be altered and amended: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Recited
Acts, as
amended,
and this
Act, to
be held as
One Act.

I. That the said recited Acts, as hereby amended, and this Act, shall continue and be in force during the Period granted by the said last-recited Act, and shall be held and construed as if the same formed One Act.

Repeal of
Appoint-
ment of
Lord Jus-
tice Gene-
ral, and
Lord Jus-
tice Clerk
to be
Members
of General
Board.

II. That, seeing that Actions may be brought before the Court of Session in which the General Board may eventually be a party, and it is inexpedient that any Judge of the said Court should be a Member of the General Board, so much of the said first-recited Act as appoints the Lord Justice General in *Scotland* and the Lord Justice Clerk for the Time being to be Members of the General Board of Directors of Prisons in *Scotland* shall be and the same is hereby repealed, and the Lord Justice General and Lord Justice Clerk respectively shall hereafter cease to be Members of the said General Board accordingly.

Lands con-
tiguous to
Prisons
may be
acquired,
and Act
8 & 9 Vict.
c. 19. in-
corpor-
ated.

III. That it shall be lawful for any County Prison Board, subject to the Provisions of the said recited Acts, to purchase, take, and acquire such Lands contiguous to any Prison as shall by such County Prison Board be deemed necessary for the Purposes of enlarging or rendering more commodious any such Prison; and to enable such County Prison Board to purchase, take, and acquire such Lands, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," in so far as applicable to and not inconsistent with, or not otherwise provided for, or not altered and varied by, this or the said recited Acts, shall be incorporated with and form part of this Act; and the Words "Promoters of the Undertaking" in the said Lands Clauses Consolidation Act shall apply to and include any County Prisons Board seeking to acquire Lands under this Act.

Accounts
to be pub-
lished.

IV. That the Prison Board of each County shall publish detailed Accounts of their Revenue and Expenditure under and for the Purposes of the said recited Acts and this Act within the First Week of *September* in every Year, which Accounts shall be printed, and a Copy thereof be furnished to the Commissioners of Supply of the County and to the Town Councils of the Burghs situated therein.

V. That

V. That where, within the Limits of any Burgh or Place being a "Burgh" in the Sense of an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to make more effectual Provision for regulating the Police of Towns and populous Places in Scotland, and for paving, draining, cleansing, lighting, and improving the same*, or where, within any Burgh which has adopted an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King William the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*, there shall be no legal Prison, or no Prison with adequate Accommodation, it shall be competent and lawful to the Police Magistrate or Magistrates of any Burgh acting under the said last-recited Acts or either of them to commit Prisoners to any Gaol within the County in which any such Burgh is situated, or is by the said recited Act of the Thirteenth and Fourteenth Years of Her present Majesty held to be situated, in such and the like Manner as such Magistrate or Magistrates would have been entitled to commit Prisoners to the Gaol of such Burgh if there had been a Gaol therein, and under the like Rights and Liabilities as to the Maintenance of such Prisoners, and the Officers of such Magistrates shall have Power to carry the Prisoners to such Gaol.

Magistrates of certain Burghs or Places may commit Prisoners to any Gaol within the County.

VI. That in every Case where it is at present competent for any Judge or Magistrate to award Sentence of Imprisonment or of Fine, with the Alternative of Imprisonment, it shall be lawful for such Judge or Magistrate in the Case of any Juvenile Offender, being a Male, whose Age, in the Opinion of such Judge or Magistrate, shall not exceed Fourteen Years, to adjudge such Offender, instead of Imprisonment, or of Imprisonment and Hard Labour, or in addition to Imprisonment, or Imprisonment and Hard Labour, to be punished by private Whipping in such Manner and according to such Regulations as shall be made by the Lord Advocate of *Scotland* in that Behalf, and sanctioned by One of Her Majesty's Principal Secretaries of State, anything in any Act of Parliament to the contrary notwithstanding.

Juvenile Male Offenders may be punished by private Whipping.

VII. That in all Cases in which a Sentence of Imprisonment may be awarded for any Crime or Offence by any Criminal Court in *Scotland*, it shall be competent for such Court to insert in such Sentence of Imprisonment an Order that such Imprisonment shall, during the whole or any Part of the Term thereof, be accompanied with Hard Labour, and such Imprisonment shall in every Case of such Order be so accompanied accordingly; and it shall be competent to the General Board, from Time to Time as they shall see Occasion, to make and submit

Sentence of Imprisonment may be accompanied with Hard Labour, and Rules in respect thereof to be made, and to be

approved
of by One
of Her
Majesty's
Principal
Secreta-
ries of
State.

submit to One of Her Majesty's Principal Secretaries of State Rules as to the Mode of carrying out such Sentences of Hard Labour; and it shall be lawful for such Secretary of State, if he shall think fit, to alter such Rules, and to make additional Rules, and he shall grant a Certificate that such Rules as submitted to him, or altered or added to, are proper to be observed and enforced, and upon such Certificate being granted such Rules shall be by the Secretary of State transmitted to the General Board, and shall be effectual; and such Rules shall be entered in the Record of their Proceedings which by the said first-recited Act the General Board are directed to keep; and such Rules shall also be contained in the Annual Report made for the Year in which the same are certified and transmitted as aforesaid, which by the Provisions of the said first-recited Act the General Board are directed to make and transmit to One of Her Majesty's Principal Secretaries of State, and whereof a Copy is by the said Act directed to be laid before both Houses of Parliament.

County
Prison
Boards
may cause
Sentences
of Impri-
sonment
(subject to
Rules of
General
Board,
&c.) to be
accom-
panied
with Hard
Labour.

VIII. That in all Cases in which a Sentence of Imprisonment for any Period not exceeding Two Months shall be awarded for any Crime or Offence by any Criminal Court in *Scotland*, and in all Cases in which the enforcing proper Discipline upon Criminals undergoing Imprisonment shall seem to them to require it, it shall be competent for each County Prison Board, subject to the Directions of the General Board, and subject also to any Rules which may be certified by the Secretary of State as aforesaid, to cause such Imprisonment, during the whole or any Part of the Term thereof, to be accompanied with Hard Labour.

CAP. XXVIII.

An Act for the well-ordering of Common Lodging Houses.—[24th July 1851.] (England.)

CAP. XXIX.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.—[24th July 1851.]

CAP. XXX.

CAP. XXX.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads.—[24th July 1851.] (England.)

CAP. XXXI.

An Act to continue an Act to amend the Laws relating to Loan Societies.—[24th July 1851.] (England.)

CAP. XXXII.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.—[24th July 1851.]

CAP. XXXIII.

An Act to enlarge the Period allowed for compounding for Assessed Taxes.—[24th July 1851.]

CAP. XXXIV.

An Act to encourage the Establishment of Lodging Houses for the Labouring Classes.—[24th July 1851.] (England.)

CAP. XXXV.

An Act to extend the Benefits of certain Provisions of the General Merchant Seamen's Act relating to Apprentices bound to the Sea Service, to Apprentices bound to the Sea Service by Boards of Guardians of the Poor in Ireland, and to enable such Guardians to place out Boys in the Naval Service.—[24th July 1851.]

CAP. XXXVI.

CAP. XXXVI.

An Act to repeal the Duties payable on Dwelling Houses according to the Number of Windows or Lights, and to grant in lieu thereof other Duties on Inhabited Houses according to their Annual Value.—[24th July 1851.]

48 G. 3.
c. 55.

WHEREAS under and by virtue of an Act of the Forty-eighth Year of King *George the Third*, Chapter Fifty-five, certain Duties are now payable in *England*, *Wales*, and *Berwick-upon-Tweed* and in *Scotland* respectively upon Dwelling Houses, and are assessed and levied according to the Number of Windows or Lights therein as set forth in the Schedule marked (A.) to the said Act annexed: and it is expedient that in lieu thereof the Duties on Inhabited Dwelling Houses set forth in the Schedule to this Act annexed should be assessed and levied according to the Annual Value of such Dwelling Houses: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties
granted on
inhabited
Houses as
specified
in the
Schedule
annexed,
in lieu of
Duties
herein-
after re-
pealed.

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-one, in *England*, *Wales*, and the Town of *Berwick-upon-Tweed*, and from and after the Term of *Whitsunday* One thousand eight hundred and fifty-one in *Scotland*, in lieu and instead of the said Duties so payable as aforesaid, and which are hereinafter repealed, there shall be assessed, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, upon inhabited Dwelling Houses in and throughout *Great Britain*, the several Duties set forth in the Schedule to this Act annexed, payable according to the annual Value of such Dwelling Houses, which said Schedule shall be deemed and taken to be part of this Act.

Duties
granted to
be under
Care of
Commis-
sioners of
Inland
Revenue.
Powers
and Pro-
visions of

II. The said Duties shall be denominated and deemed to be Duties of Assessed Taxes, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, Rules, Regulations, and Directions, Fines, Forfeitures, Pains, and Penalties, now in force contained in or enacted by any Act or Acts relating to the Duties of Assessed Taxes, and also all Powers, Provisions, Rules, Regulations, Directions, and Exemptions, Fines,

Fines, Forfeitures, Pains and Penalties, contained in or enacted by any such Act or Acts as aforesaid, with reference to the Duties on Inhabited Dwelling Houses according to the Value thereof, as set forth in the Schedule marked (B.) annexed to the said Act of the Forty-eighth Year of King *George* the Third, and which were in force in regard to the said last-mentioned Duties at the Time of the Repeal of such Duties by an Act of the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Nineteen, except as herein-after excepted, shall severally and respectively be and become in full Force and Effect with respect to the Duties hereby granted, and shall be severally and respectively duly observed, applied, practised, and put in execution in the respective parts of *Great Britain*, for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and otherwise in relation thereto, so far as the same are or shall be applicable, and are not repealed or superseded by and are consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same Powers, Provisions, Rules, Regulations, Directions, and Exemptions, Fines, Forfeitures, Pains, and Penalties, were particularly repeated and re-enacted in this Act with reference to the said Duties hereby granted: Excepting always out of this Enactment any Provisions for or in relation to Compositions for the said Duties set forth in the said Schedule marked (B.), the Exemption in Case II. of Exemptions contained in the same Schedule, and all the Provisions of an Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-nine, and of an Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Seventeen.

former
Acts to be
in force ;

except as
herein
provided.

III. Provided always, That no Market Garden or Nursery Ground occupied by a Market Gardener or Nurseryman *bona fide* for the Sale of the Produce thereof, in the Way of his Trade or Business, shall be included in the Valuation of any Dwelling House and Premises in charging the Duties made payable by this Act.

Market
Gardens
and Nur-
sery
Grounds
not to be
included in
Valuation
of Houses.

IV. The Duties granted by the said Act of the Forty-eighth Year of King *George* the Third, and now payable in *England*, *Wales*, and *Berwick-upon-Tweed* and in *Scotland* respectively, upon Dwelling Houses, according to the Number of Windows or Lights therein, as set forth in the Schedule marked (A.) to the said Act annexed, shall, at and upon the respective Periods appointed for the Commencement of the Duties granted by this Act, severally cease and determine: save and except as to any of the said Duties hereby repealed which, having been assessed

Duties on
Windows
and Lights
to cease on
Com-
mence-
ment of the
Duties
granted by
this Act ;

except those uncollected and Penalties, &c.

assessed or charged, shall not have been collected, levied, recovered, and accounted for, and also as to all Arrears of any of the said Duties, and all Penalties and Forfeitures incurred at or before such respective Periods, all which said Duties and Arrears of Duties, and Penalties and Forfeitures, shall respectively be collected, levied, recovered, paid, and accounted for as if this Act had not been passed.

Persons to be liable to the same Duty for Armorial Bearings as if chargeable to Duties under 48 G. 3. c. 55.

V. And whereas a certain Rate of Duty is now payable in respect of Armorial Bearings or Ensigns used or worn by Persons chargeable to the Duties on Houses, Windows, or Lights made payable by the said Act of the Forty-eighth Year of King *George the Third* :

All persons who shall be chargeable to Duty under this Act shall in respect of Armorial Bearings or Ensigns used or worn by them be subject to the same rate of Duty as they would have been liable to if they had been chargeable to the said Duties made payable by the said Act.

Assessors already appointed to be Assessors for the current Year under this Act.

VI. And whereas Assessors of the Duties of Assessed Taxes have in many Parishes and Places been already appointed for the present Year : The Persons so appointed such Assessors shall, without any further or other Appointment or Authority, become and be Assessors of the Duties granted by this Act for the said Year in and for the same Parishes and Places respectively.

The SCHEDULE referred to ;

CONTAINING

The DUTIES by this Act made payable upon INHABITED DWELLING HOUSES in and throughout Great Britain, according to the annual Value thereof ; that is to say,

For every Inhabited Dwelling House which, with the Household and other Offices, Yards, and Gardens therewith occupied and charged, is or shall be worth the Rent of Twenty Pounds or upwards, by the Year,—

Where any such Dwelling House shall be occupied by any Person in Trade who shall expose to Sale and sell any Goods, Wares, or Merchandize in any Shop or Warehouse, being Part of the same Dwelling House, and in the Front and on the Ground or Basement Story thereof ; And also where any such Dwelling House shall be occupied by any Person who shall be duly licensed by the Laws in force to sell therein by retail Beer, Ale, Wine, or other Liquors, although the Room or Rooms thereof in which any such Liquors shall be exposed to sale, sold, drunk,

drunk, or consumed shall not be such Shop or Warehouse as aforesaid ;
 And also where any such Dwelling House shall be a Farmhouse occupied by a Tenant or Farm Servant, and *bonâ fide* used for the Purposes of Husbandry only,
 There shall be charged for every Twenty Shillings of such annual Value of any such Dwelling House, the Sum of Sixpence ;
 And where any such Dwelling House shall not be occupied and used for any such Purpose and in manner aforesaid there shall be charged for every Twenty Shillings of such annual Value thereof the Sum of Ninepence.

CAP. XXXVII.

An Act to continue certain Turnpike Acts in Great Britain.—[24th July 1851.]

CAP. XXXVIII.

An Act to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls. — [24th July 1851.] (England.)

CAP. XXXIX.

An Act to exempt Burgesses and Freemen in certain cases from the operation of an Act for the better assessing and collecting the Poor Rates and Highway Rates in respect of Small Tenements.—[24th July 1851.] (England & Wales.)

CAP. XL.

An Act for Marriages in India.—[24th July 1851.]

CAP. XLI.

An Act to regulate the Salaries of the Chief Justice of the Court of Queen's Bench and the Chief Justice of the Court of Common Pleas.—[1st August 1851.]

CAP. XLII.

CAP. XLII.

An Act to make better Provision for the Management of the Woods, Forests, and Land Revenues of the Crown, and for the Direction of Public Works and Buildings.—[1st August 1851.]

CAP. XLIII.

An Act for disafforesting the Forest of Hainault in the County of Essex.—[1st August 1851.]

CAP. XLIV.

An Act to continue certain Acts for regulating Turnpike Roads in Ireland.—[1st August 1851.]

CAP. XLV.

An Act to continue an Act of the Fifth and Sixth Years of her present Majesty for amending the Law relative to Private Lunatic Asylums in Ireland.—[1st August 1851.]

CAP. XLVI.

An Act to amend Two several Acts of Her Majesty's Reign, enabling the Commissioners of Her Majesty's Woods to purchase Lands for and to form Victoria Park; and to indemnify the Trustees of Copyhold Lands held in Trust for Her Majesty.—[1st August 1851.]

CAP. XLVII.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.—[1st August 1851.] (England.)

CAP. XLVIII.

CAP. XLVIII.

An Act to continue an Act of the Second and Third Years of Her present Majesty, “to extend and render “more effectual for five Years an Act passed in the “Fourth Year of His late Majesty George the Fourth, “to amend an Act passed in the Fiftieth Year of His “Majesty George the Third, for preventing the administering and taking unlawful Oaths in Ireland,” as the same is amended by an Act of the Eleventh and Twelfth Years of Her Majesty’s Reign.—[1st August 1851.]

CAP. XLIX.

An Act to repeal an Act of the Eleventh and Twelfth Years of Her present Majesty, for making preliminary Inquiries in certain Cases of Applications for Local Acts, and to make other Provisions in lieu thereof.—[1st August 1851.]

WHEREAS an Act was passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-nine: And whereas it is expedient to repeal the said Act, and to make other Provisions in lieu thereof: Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same,

11 & 12
Vict. c.
129.

I. That in respect of all future Applications to Parliament for Local Acts the said recited Act shall be and the same is hereby repealed.

Recited
Act re-
pealed.

II. Whenever Application shall be made to Parliament for a Bill whereby Power is sought to construct any Works on the Shore of the Sea, or of any Creek, Bay, Arm of the Sea, or navigable River communicating therewith, or to construct any Bridge, Viaduct, or other Work across any Creek, Bay, Arm of the Sea, or navigable River, or to construct any Work affecting the Navigation of any Harbour, Port, tidal Water, or navigable River, it shall be lawful for the Lord High Admiral, or for the Lords Commissioners for executing the

Where
Works
proposed
on tidal
Lands,
Admiralty
may re-
quire
State-
ments, &c.

the Office of Lord High Admiral, to require the Promoters of such Bill to deposit at the Office of the Admiralty, in addition to the Plans, Sections, or other Documents which may have been deposited at such Office in Compliance with the Standing Orders of either House of Parliament, all such Statements and other Documents as the said Lord High Admiral or Lords Commissioners shall deem necessary to explain the Objects of the intended Application to Parliament, and the proposed Interference with such tidal Lands or Navigation, as the Case may be.

Admiralty
may ap-
point In-
spectors.

III. It shall be lawful for the said Lord High Admiral or Lords Commissioners, if they shall consider the same necessary or expedient, but not otherwise, to appoint a competent Person or Persons to be an Inspector or Inspectors, for the Purpose of inquiring, in such Manner and at such Time and Place as they shall direct, into all such Matters as they shall deem necessary to enable them to report to Parliament their Opinion upon every such Bill touching the Jurisdiction or Authority of the Lord High Admiral.

Inspectors
may sum-
mon Wit-
nesses and
examine
them upon
Oath.

IV. For the Purposes of such Inquiry the said Inspector or Inspectors may, by Summons under his or their Hands, summon before him or them any Person having the Custody of any Map, Survey, or Book made or kept in pursuance of any Act of Parliament, to produce such Map, Survey, or Book for his or their Inspection, and the said Inspector or Inspectors may summon, in manner aforesaid, any other Person whose Evidence shall, in the Judgment of the said Inspector or Inspectors, be material to his or their Inquiries, and pay or allow to every such Person so summoned by him or them the reasonable Charges of his Attendance; and the said Inspector or Inspectors shall also have Power to administer an Oath to all Persons who may be examined by him or them touching the Premises.

Penalty
for Non-
attendance
or refusing
to Answer
Questions.

V. Any Person, being summoned by such Inspector or Inspectors, who, after the Delivery to him of such Summons as aforesaid, or of a Copy thereof, shall wilfully neglect, or refuse to attend in pursuance of such Summons, or to produce such Maps, Surveys, Books, or other Documents as he may be required to produce under the Provisions herein-before contained, or to answer upon Oath or otherwise such Questions as may be put to him by such Inspector or Inspectors under the Powers herein-contained, shall be liable to forfeit and pay a Penalty not exceeding Five Pounds, which may be recovered before any Two or more Justices having Jurisdiction within the Town, District, or Place wherein such Inquiry shall be held; and on Conviction of the Offender, and in default of Payment of
any

any such Penalty, such Justices shall be empowered and required to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under their Hands and Seals; and such Penalty shall be paid to the Treasurer of the County within which such Conviction shall take place in aid of the County Rate; provided that no Person, other than the Promoters of the proposed Act, or their Agents, shall be required to attend in obedience to any Summons, unless the reasonable Charges of his Attendance be paid or tendered to him, nor to travel in obedience thereto more than Ten Miles from his usual Place of Abode.

VI. Before instituting any such Inquiry the said Lord High Admiral or Lords Commissioners may, if they think fit, require and take such Security for the Payment of the whole or any Part of the Costs, Charges, and Expenses to be incurred by them in respect of such Inquiry (including the Remuneration of the Inspectors) as to them shall seem fit; and whenever any such Security is given, the Costs, Charges, and Expenses in respect whereof it is given shall, to such Amount as shall be certified by the said Lord High Admiral or Lords Commissioners (not exceeding the Extent or Amount of such Security), be a Debt due to Her Majesty from the Person or Persons respectively by whom the same is entered into.

Admiralty may take Security for payment of expenses of Inquiry.

VII. The Persons whose Names shall be subscribed to the Petition for any Private Bill shall be deemed to be Promoters of such Bill for all the Purposes of this Act, notwithstanding the Persons subscribing such Petition shall have signed for or on behalf of any other Party.

Petitioners for Private Bill to be deemed the Promoters.

VIII. In citing this Act in other Acts of Parliament, and in legal and other Instruments, it shall be sufficient to use the Expression, "The Preliminary Inquiries Act, 1851."

Form of citing the Act.

CAP. L.

An Act to amend the Public Health Act, and an Act of the Third and Fourth Years of King William the Fourth, in respect of the Assessment of Tithe and Tithe Rent Charges for certain Rates.—[1st August 1851.]
(England and Wales.)

CAP. LI.

CAP. LI.

An Act to authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in Ireland.—[1st August 1851.]

CAP. LII.

An Act to facilitate the more speedy Arrest of absconding Debtors.—[1st August 1851.] (England.)

CAP. LIII.

An Act to consolidate and continue the Copyhold and Inclosure Commissions, and to provide for the Completion of Proceedings under the Tithe Commutation Acts.—[1st August 1851.] (England and Wales.)

CAP. LIV.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. —[1st August 1851.] (England and Wales.)

CAP. LV.

An Act to amend the Law relating to the Expenses of Prosecutions, and to make further Provision for the Apprehension and Trial of Offenders, in certain Cases.—[1st August 1851.] (England & Wales.)

CAP. LVI.

An Act to sanction the Service by Post of Notices relative to the Proceedings of certain charitable Institutions, and to make further Provision as to the Service of such Notices in future.—[1st August 1851.] (England.)

CAP. LVII.

CAP. LVII.

An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors.—[1st August 1851.]

CAP. LVIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.—[1st August 1851.]

CAP. LIX.

An Act to continue certain of the Allowances of the Duty of Excise on Soap used in Manufactures.—[1st August 1851.]

WHEREAS by an Act passed in the Third Year of the 3 & 4 W. 4.
 Reign of King William the Fourth, Chapter Sixteen, c. 16.
 certain Allowances of the Duties of Excise paid on Soap were granted in respect of Soap used in certain Manufactures and Processes set forth in the said Act, and which Allowances were to cease at the End of the Session of Parliament next after the Thirty-first Day of May One thousand eight hundred and thirty-five: And whereas by subsequent Acts, and particularly by an Act passed in the Thirteenth Year of the Reign of Her Majesty Queen Victoria, Chapter Forty, the said Allowances 12 & 13
 (except the Allowance for the whitening of new Linen in the Vict. c. 40.
 Piece for Sale) were continued until the End of the Session of Parliament next after the Thirty-first Day of July One thousand eight hundred and fifty: And whereas it is expedient that the said Allowances (except as aforesaid) should be further continued: Be it therefore enacted by the Queen's most Excellent

cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Allowances of the Duty on Soap continued.

I. That the said Allowances (except the Allowance of the Duty on Soap used, employed, or consumed in the whitening of new Linen in the Piece for Sale) shall continue and remain payable until the End of the Session of Parliament next after the Thirty-first Day of *July* One thousand eight hundred and fifty-three, in like Manner as if the same had been made payable until that Time by the said first-recited Act.

CAP. LX.

An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of Places in the United Kingdom.

—[1st August 1851.]

WHEREAS divers of Her Majesty's Roman Catholic Subjects have assumed to themselves the Titles of Archbishop and Bishops of a pretended Province, and of pretended Sees or Dioceses, within the United Kingdom, under colour of an alleged Authority given to them for that Purpose by certain Briefs, Rescripts, or Letters Apostolical from the See of *Rome*, and particularly by a certain Brief, Rescript, or Letters Apostolical purporting to have been given at *Rome* on the Twenty-ninth of *September* One thousand eight hundred and fifty: And whereas by the Act of the Tenth Year of King *George* the Fourth, Chapter Seven, after reciting that the Protestant Episcopal Church of *England* and *Ireland*, and the Doctrine, Discipline, and Government thereof, and likewise the Protestant Presbyterian Church of *Scotland*, and the Doctrine, Discipline, and Government thereof, were by the respective Acts of Union of *England* and *Scotland*, and of *Great Britain* and *Ireland*, established permanently and inviolably, and that the Right and Title of Archbishops to their respective Provinces, of Bishops to their Sees, and of Deans to their Deaneries, as well in *England* as in *Ireland*, had been settled and established by Law, it was enacted, that if any Person after the commencement of that Act, other than the Person thereunto authorized by Law, should assume or use the Name, Style, or Title of Archbishop of any Province, Bishop of any Bishopric, or Dean of any Deanery, in *England* or *Ireland*, he should for every such Offence forfeit and pay the Sum of One hundred Pounds: And whereas it may be doubted whether the recited Enactment extends to the Assump-

tion

tion of the Title of Archbishop or Bishop of a pretended Province or Diocese, or Archbishop or Bishop of a City, Place, or Territory, or Dean of any pretended Deanery in *England* or *Ireland*, not being the See, Province, or Diocese of any Archbishop or Bishop or Deanery of any Dean recognized by Law; but the Attempt to establish, under colour of Authority from the See of *Rome* or otherwise, such pretended Sees, Provinces, Dioceses, or Deaneries, is illegal and void: And whereas it is expedient to prohibit the Assumption of such Titles in respect of any Places within the United Kingdom: Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

I. All such Briefs, Rescripts, or Letters Apostolical, and all and every the Jurisdiction, Authority, Pre-eminence, or Title conferred or pretended to be conferred thereby, are and shall be and be deemed unlawful and void.

II. And be it enacted, That if, after the passing of this Act, any Person shall obtain or cause to be procured from the Bishop or See of *Rome*, or shall publish or put in use within any Part of the United Kingdom, any such Bull, Brief, Rescript, or Letters Apostolical, or any other Instrument or Writing, for the Purpose of constituting such Archbishops or Bishops of such pretended Provinces, Sees, or Dioceses within the United Kingdom, or if any Person, other than a Person thereunto authorized by Law in respect of an Archbishopric, Bishopric, or Deanery of the United Church of *England* and *Ireland*, assume or use the Name, Style, or Title of Archbishop, Bishop, or Dean of any City, Town, or Place, or of any Territory or District, (under any Designation or Description whatsoever,) in the United Kingdom, whether such City, Town, or Place, or such Territory or District, be or be not the See or the Province, or co-extensive with the Province, of any Archbishop, or the See or the Diocese, or co-extensive with the Diocese, of any Bishop, or the Seat or Place of the Church of any Dean, or co-extensive with any Deanery, of the said United Church, the Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered as Penalties imposed by the recited Act may be recovered under the Provisions thereof, or by Action of Debt at the Suit of any Person in One of Her Majesty's Superior Courts of Law, with the Consent of Her Majesty's Attorney General in *England* and *Ireland*, or Her Majesty's Advocate in *Scotland*, as the Case may be.

III. This Act shall not extend or apply to the Assumption

Briefs, Rescripts, or Letters Apostolical declared unlawful and void.

Persons procuring, publishing, or putting in use any such Brief, &c. for constituting Archbishops, Bishops, &c. of pretended Provinces, Sees, or Dioceses, liable to a Penalty of 100*l.* for every Offence.

Recovery of Penalties.

Act not to extend to

Bishops of
the Pro-
testant
Episcopal
Church in
Scotland.

or Use by any Bishop of the Protestant Episcopal Church in *Scotland* exercising Episcopal Functions within some District or Place in *Scotland* of any Name, Style, or Title in respect of such District or Place; but nothing herein contained shall be taken to give any Right to any such Bishop to assume or use any Name, Style, or Title which he is not now by Law entitled to assume or use.

Nothing to
affect Pro-
visions of
7 & 8 Vict.
c. 97.

IV. Be it enacted, That nothing herein contained shall be construed to annul, repeal, or in any Manner affect any Provision contained in an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Application of Charitable Donations and Bequests in Ireland*.

CAP. LXI.

An Act for providing a Metropolitan Market and Conveniences connected therewith in lieu of the Cattle Market at Smithfield.—[1st August 1851.]

CAP. LXII.

An Act to alter certain Duties of Customs, and to enable the Treasury to regulate the Mode of keeping the Account between the Receiver-General of Customs and the Bank of England.—[7th August 1851.]

CAP. LXIII.

An Act for the Settlement of the Boundaries between the Provinces of Canada and New Brunswick.—[7th August 1851.]

CAP. LXIV.

An Act to repeal the Act for constituting Commissioners of Railways.—[7th August 1851.]

9 & 10
Vict. c.
105.

WHEREAS an Act was passed in the Session holden in the Ninth and Tenth Years of Her Majesty (Chapter One hundred and five,) for constituting Commissioners of Railways: And whereas it is expedient that the said Act should be repealed, and Provision be made for the Exercise and

and Performance of the Powers and Duties which since the passing of the said Act have been vested in or imposed on the said Commissioners: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Tenth of *October* One thousand eight hundred and fifty-one the said Act shall be repealed, and all Powers, Rights, Authorities, and Duties vested in or exercised or performed by the Commissioners of Railways under any Act passed since the passing of the said recited Act, or which may be passed during the present Session of Parliament, shall be transferred to and vested in and performed by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations as if they had been named in such Acts instead of the said Commissioners; and all Proceedings pending before the said Commissioners on the said Tenth of *October*, or carried on under their Authority, shall be continued and carried on by and before the Lords of the said Committee, who shall have, exercise, and perform the same Powers, Rights, Authorities, and Duties in respect of all such Proceedings as might have been exercised or performed by such Commissioners in case this Act had not been passed.

Recited Act repealed, and Powers, &c. of Commissioners of Railways under subsequent Acts transferred to Board of Trade.

II. It shall be lawful for the Lords of the said Committee, with the Approval of the Commissioners of Her Majesty's Treasury, to continue, for the Transaction of the Business transferred to the Lords of the said Committee under this Act, all or any of the Officers and Servants appointed by the said Commissioners of Railways, and from Time to Time, with such Approval, to remove such Officers and Servants, or any of them.

Power to continue Officers appointed by Commissioners of Railways.

III. Where by any Act relating to Railways or to any Railway the Commissioners of Railways or the Lords of the said Committee are empowered or required to make or issue any Appointment, Authority, Determination, Order, Requisition, Regulation, Certificate, or Notice, or to do any other Act, the Lords of the said Committee may, after the said Tenth of *October*, signify such Appointment, Authority, Determination, Order, Requisition, Regulation, Certificate, Notice, or other Act by a written or printed Document, signed by One of the joint Secretaries of the Lords of the said Committee, or by some Assistant Secretary, or other Officer appointed by them to sign Documents relating to Railways; and every Appointment, Authority, Determination, Order, Requisition, Regulation, Certificate, Notice, or other Act signified by a written or printed

Appointments, Orders, &c. of the Board of Trade how to be signified.

printed Document purporting to be so signed as aforesaid, shall be deemed to have been duly made, issued, or done by the Lords of the said Committee; and every such Document shall be received in Evidence in all Courts and before all Justices and others, without Proof of the Authority or Signature of such Secretary or other Officer, or other Proof whatsoever, until it be shown that such Document was not signed by the Authority of the Lords of the said Committee.

CAP. LXV.

An Act to continue certain temporary Provisions relating to the Collection of Grand Jury Cess in Ireland; and also to provide for the due Annexation of an isolated District, formerly of the County of Dublin, to a Barony of the County of Wicklow, for the Purposes of Grand Jury Cess and other Purposes.—[7th August 1851.]

CAP. LXVI.

An Act for rebuilding the Bridge over the River Ness at the Town of Inverness, and improving the Approaches thereto; and for amending the Acts relating to Highland Roads and Bridges.—[7th August 1851.]

43 G. 3.
c. 80.

59 G. 3.
c. 135.

4 G. 4.
c. 56.

WHEREAS an Act was passed in the Forty-third Year of King *George* the Third, Chapter Eighty, whereby the Sum of Twenty thousand Pounds was directed to be issued from His Majesty's Exchequer in *Great Britain*, to be paid and applied by the Commissioners thereby appointed in the making and erecting Roads and Bridges in the Highlands of *Scotland*: And whereas another Act was passed in the Fifty-ninth Year of His said Majesty, Chapter One hundred and thirty-five, which Act, upon a Recital that certain Roads and Bridges were made in the Highlands of *Scotland*, and that various Grants of Money had been made for that Purpose, provides for the Appropriation of the Monies granted in manner therein mentioned, and also provides for the Payment out of the Public Money of a Sum of Five thousand Pounds annually towards the Purposes of the said Act: And whereas another Act was passed in the Fourth Year of King *George* the Fourth, Chapter Fifty-six, whereby Provision was made for eventually increasing the Assessments leviable under the said recited Acts, or for erecting
Toll

Toll Bars for the Collection of Rates and Duties or Tolls in aid or in lieu of such Assessments: And whereas another Act ^{5 G. 4. c. 38.} was passed in the Fifth Year of His said Majesty King *George* the Fourth, Chapter Thirty-eight, whereby specific Allotments out of the said annual Grant of Five thousand Pounds were made to the Counties therein mentioned in aid of the Expense of repairing the Roads and Bridges within the same; namely, the Sum of One thousand and sixty-six Pounds to the County of *Inverness*, the Sum of Four hundred and thirty-eight Pounds to the County of *Ross*, the Sum of Two hundred and twenty-two Pounds to the County of *Sutherland*, and the Sum of One hundred and fifteen Pounds to the County of *Caithness*: And whereas the said recited Acts were amended by an Act passed in the Third and Fourth Years of King *William* the Fourth, ^{3 & 4 W. 4. c. 33.} Chapter Thirty-three, and by another Act passed in the Eleventh and Twelfth Years of Her present Majesty, Chapter ^{11 & 12 Vict. c. 40.} Forty: And whereas a very large Extent of Roads has been made, and a great Number of Bridges have been erected, under the said recited Acts, and great Benefit has been derived to the Northern Part of the Empire and to the Country at large from the improved Intercourse thereby effected: And whereas the Stone Bridge over the River *Ness* at the Royal Burgh of *Inverness* was by a Flood in the said River in the Month of *January* One thousand eight hundred and forty-nine swept away, whereby the Communication with the Northern Counties of *Scotland* has been greatly impeded, and it is essential for the restoring and maintaining of such Communication that the Bridge should be rebuilt; but there are no adequate available Means of defraying the Expenses of rebuilding the same, and it is therefore expedient that Public Assistance should be afforded for this Purpose to the Extent and on the Conditions herein-after set forth: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That the said recited Acts, excepting in so far as the same are hereby altered, shall continue in full Force, and shall be as effectual towards the carrying this Act and the Purposes and Provisions thereof into execution, as if the new Bridge and Approaches thereto by this Act authorized to be made and maintained were Roads and Bridges in the Care and Management of the Commissioners of Highland Roads and Bridges under and in virtue of the said recited Acts or any of them.

II. And whereas, by a Resolution of the House of Commons ^{Sum of 7,700*l.* to}

be applied
towards
the Ex-
pense of
the new
Bridge.

of the Nineteenth Day of *July* One thousand eight hundred and fifty-one, the Sum of Seven thousand seven hundred Pounds was granted to Her Majesty towards the Erection of a new Bridge at *Inverness*: Be it enacted, That the said Sum of Seven thousand seven hundred Pounds shall be applied by the said Commissioners of Highland Roads and Bridges towards the Expense of erecting and constructing the new Bridge by this Act authorized to be made and maintained, in such manner as shall be approved of by the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, and to no other Purpose whatsoever.

Treasury
authorized
to advance
10,700*l.* by
way of
Loan.

III. That it shall be lawful for the said last-mentioned Commissioners to advance by way of Loan to the said Commissioners of Highland Roads and Bridges, for the Purposes of this Act, any further Sum not exceeding Ten thousand seven hundred Pounds, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, to be repaid, with Interest, in manner herein-after provided.

Commis-
sioners of
Highland
Roads and
Bridges to
deduct or
repay cer-
tain Pro-
portions
from
County Al-
lotments,
to be ap-
plied in
Payment
of Interest
and Re-
payment of
Capital of
the Sum
advanced
in Loan.

IV. That to make Provision for Payment of the annual Interest and for Repayment of the Capital of the said Sum of Ten thousand seven hundred Pounds to be advanced in Loan as aforesaid, there shall, upon the Advance by the said Commissioners of the Treasury of all or any Part of the said Loan of Ten thousand Seven hundred Pounds, be appropriated to the Repayment of the Sum advanced and Interest thereof, such Part of the Sums allotted as herein-before mentioned to the said Counties of *Inverness, Ross, Sutherland, and Caithness*, out of the said annual Grant of Five thousand Pounds, as will produce an annual Payment at the Rate of Six Pounds Ten shillings for every One hundred Pounds of the Sum so advanced, and so in proportion for any lesser Amount, and such annual Payment shall be made for the Term of Twenty-two Years, to be computed from the Sixth Day of *April* or Tenth Day of *October* which shall first happen after such Advance, and such annual Payment shall be made by equal Half-yearly Payments on the Sixth Day of *April* and Tenth Day of *October* in every Year, the first of such Payments to be made on the Second of such Days which shall happen after the making of such Advance; and such annual Payment of Six Pounds Ten shillings *per Cent.* upon the Sum or Sums to be advanced in Loan as aforesaid shall be chargeable rateably and proportionally upon the Sums allotted as aforesaid to the Counties of *Inverness, Ross, Sutherland, and Caithness* respectively, and shall either be deducted from the Sums so allotted before the Issue thereof to the said Commissioners of Highland Roads and Bridges, or, as the said Com-
missioners

missioners of the Treasury may direct, shall, if issued, be repaid by the said Commissioners of Highland Roads and Bridges to the said Commissioners of the Treasury, in satisfaction and extinction in either Case of the said Loan and Interest thereof as aforesaid; and it shall be lawful for the said last-mentioned Commissioners from Time to Time to give such Directions to the said Commissioners of Highland Roads and Bridges in regard to the Payment to the Treasury of the Sums to be deducted as aforesaid as to the said Commissioners of the Treasury shall seem proper, and the said Commissioners of Highland Roads and Bridges shall comply with such Directions in all respects until the said Loan shall be wholly repaid as aforesaid.

V. Provided always, That the Sums so to be deducted and applied shall, as regards the Powers of Assessment on the said Counties contained in the said recited Acts or any of them, and for the Purpose of regulating the Amount of such Assessment, be deemed and taken to be Monies applied and expended in the Maintenance and Repair of the Parliamentary and Military Roads in the said several Counties respectively under and by virtue of the said recited Acts.

VI. That for supplying the Deficiency to arise by the Deductions from the said several Sums allotted to the said several Counties as aforesaid, or by the Expense which it may be necessary to incur for maintaining and repairing the said Bridge when finished, it shall be lawful for the Commissioners of Supply in each of the said several Counties of *Inverness*, *Ross*, *Sutherland*, and *Caithness* respectively to increase the Amount of the Assessment to be made in each of the said Counties by the Amount of the Sum which shall have been or shall be in each Case deducted and applied by the said Commissioners of Highland Roads and Bridges as aforesaid, with such and the like Powers and Authorities for enforcing the Payment thereof, and subject to such and the like Conditions and Restrictions, as are in that Behalf contained or imposed in or by the said recited Acts or any of them.

VII. And whereas a Plan of the new Bridge, Approaches, and other Works to be made and maintained under the Authority of this Act, and Sections showing the Line and Levels thereof, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands in, through, or into which the same are intended to be made, have been deposited with the Sheriff Clerk of the County of *Inverness*, and with the Town Clerk of the Burgh of *Inverness*, at their respective Offices in *Inverness*: Be it enacted, That such Plans, Sections, and Books of Reference shall be kept by the

Sums deducted to be deemed Monies expended on Highland Roads and Bridges under the recited Acts.

Commissioners of Supply authorized to levy increased Assessment under the recited Acts to supply Deficiencies.

Deposited Plan, Sections, and Book of Reference to be open for Inspection.

the said Clerks, who shall permit all Persons interested to inspect the same at all seasonable Times, and shall make or allow to be made Copies thereof or Extracts therefrom for any Person requiring the same, on being paid the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words copied.

Errors and Omissions may be corrected by Sheriff of Inverness, who shall certify the same.

Certificate to be deposited.

Copies of Plan, &c. to be Evidence.

Provisions of 8 & 9 Vict. c. 19, incorporated with this Act.

As to Construction of new Bridge, Approaches, and other Works.

VIII. That if any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plan or in the said Book of Reference, it shall be lawful for the said Commissioners of Highland Roads and Bridges to apply to the Sheriff of the County of *Inverness* for the Correction thereof, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction; and if it shall appear to the Sheriff that such Omission, Mis-statement, or erroneous Description arose from Mistake, he shall certify the same accordingly, and shall in his Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described, and such Certificate shall be deposited in the Office of the principal Sheriff Clerk of the County of *Inverness*, and in the Office of the Town Clerk of *Inverness*, and also with the Session Clerk of the United Parishes of *Inverness* and *Bona* at his usual Place of Residence, and such Certificates shall be kept by such Sheriff Clerk, Town Clerk, and Session Clerk respectively along with the other Documents to which the same relate, and thereupon such Plan or Book of Reference shall be deemed to be corrected according to such Certificate, and it shall be lawful for the said Commissioners to make the said Works in accordance with such Certificate.

IX. That true Copies of the said Plan, Sections, and Book of Reference, or of any Alteration or Correction thereof or Extracts therefrom, certified by such Sheriff Clerk or Town Clerk, which Certificate such Sheriff Clerk or Town Clerk shall give to all Parties interested when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

X. That in so far as applicable and not inconsistent with or not otherwise provided for or not varied by this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act.

XI. That, subject to the Provisions of this Act and of the Acts herein-before recited and the Act incorporated herewith, it shall be lawful for the said Commissioners of Highland Roads and Bridges to make, build, and maintain a new Bridge over the River *Ness* of such Form and Dimensions and of such Materials as they may think fit, with the Approaches thereto

thereto and other Works described upon the said Plan, in the Situation and upon the Lands delineated thereon and described in the said Book of Reference, and also to make, build, and maintain all necessary and proper Abutments, Ramparts, Piers, Walls, Banks, Weirs, Ways, and other Works for laying and securing the Foundation, and for the Use, Protection, and Support of the said new Bridge, and to enter upon, take, and use such of the said Lands, and such Parts of the Bed or Channel and of the Banks of the said River, as shall be necessary for these Purposes: Provided always, that before commencing the Construction of the said Bridge, Approaches, and other Works the Plans thereof shall be submitted to and be approved in Writing by the said Commissioners of the Treasury.

XII. That it shall be lawful for the said Commissioners of Highland Roads and Bridges in executing the said Works to deviate from the Line delineated on the said Plan to the Extent or Distance of the Limits of Deviation marked thereon, provided that the Works shall not by means of such Deviation be made to extend into the Lands of any Person whose Name is not mentioned in the said Book of Reference without his previous Consent in Writing, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided.

Power to deviate in Construction of Works.

XIII. That previously to constructing the said Bridge, or any Part of the Works connected therewith, the said Commissioners of Highland Roads and Bridges shall deposit at the Admiralty Office, *Whitehall*, Plans and Working Drawings of the Bridge and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, and, notwithstanding anything in this Act contained, the said Bridge and Works connected therewith shall be commenced and constructed only according to such Plan as shall be previously approved of by the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any Bridge or Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the said Commissioners

Plans and Working Drawings to be deposited at the Admiralty Office for Approval.

of

of Highland Roads and Bridges, and the Amount thereof shall be a Debt due to the Crown and be recoverable accordingly.

Works and
Materials
vested in
Commis-
sioners of
Highland
Roads and
Bridges.

XIV. That the said Bridge, Approaches, and other Works, and all the Materials used in the Construction thereof, shall be vested in the said Commissioners of Highland Roads and Bridges, as well during the Construction thereof as after the same shall be completed, in such and the like Manner, and to the like Effect and Purpose, as if the said Bridge, Approaches, and other Works had been made and completed under the said recited Acts or any of them.

Period for
compul-
sory Pur-
chase of
Lands
limited.

XV. That the Powers granted by this Act and the Act incorporated herewith for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Power to
acquire
Spaces for
storing
Materials.

XVI. That it shall be lawful for the said Commissioners of Highland Roads and Bridges to acquire by Purchase, Feuing, Lease, or otherwise, and it shall be lawful for all Persons whatsoever, though under any legal Disability, to sell, feu, let, or convey to them, all such Lands, Buildings, or Heritages as the said Commissioners shall deem necessary for making convenient Places for breaking and storing Materials, and depositing Mud, Sand, or other Matter removed from any of the Roads under their Charge; and it shall be lawful for the said Commissioners and the Owners and Occupiers of such Lands, Buildings, or Heritages to contract and agree for the Value thereof, or for the Loss or Damage to be occasioned by the making of such Places accordingly.

Tolls to be
leviable on
Stage
Coaches,
&c. on
every Time
of passing
or repass-
ing.

XVII. That the Tolls made payable and levied by and under the said recited Acts or any of them shall be paid for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, Stage Cart, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing any Toll Bar erected or to be erected and maintained under the Authority of the said recited Acts or any of them; provided that no such Stage Coach or Stage Carriage shall be liable on account of any Change of Horses for any Toll Duty not otherwise exigible.

Tolls not to
be levied on
the Bridge
or Ap-
proaches.

XVIII. Provided always, That it shall not be lawful to levy any Toll, Pontage, or Rate upon, for, or in respect of the said Bridge or the Approaches to be made thereto in virtue of this Act; but from and after the Completion of the said Bridge and Approaches the same shall be and remain open and free to the Use of the Public in all Time coming.

Saving
Rights of
the Crown.

XIX. That nothing contained in this Act or in the Act incorporated herewith shall extend to authorize the said Commissioners

Commissioners of Highland Roads and Bridges to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

CAP. LXVII.

An Act to repeal so much of an Act of the Twelfth Year of King George the Third, relating to the making, keeping, and Carriage of Gunpowder, as exempts therefrom certain Gunpowder Magazines and Stores near Liverpool, and to make certain temporary Provisions with regard to the said Magazines and Stores.
—[7th August 1851.]

CAP. LXVIII.

An Act to provide for the better Distribution, Support, and Management of Medical Charities in Ireland; and to amend an Act of the Eleventh Year of Her Majesty, to provide for the Execution of the Laws for the Relief of the Poor in Ireland.—[7th August 1851.]

CAP. LXIX.

An Act to continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.—[7th August 1851.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of Her present Majesty (Chapter One hundred and seven,) for preventing, until the First Day of September One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other

13 & 14
Vict. c.
71.

Recited
Act con-
tinued till
1st Sept.
1852.

other Animals: And whereas, by an Act passed in the Fourteenth Year of the Reign of Her said Majesty (Chapter Seventy-one,) the said Act was continued until the First Day of *September* One thousand eight hundred and fifty-one, and if Parliament should be then sitting, then further until the End of the then Session of Parliament: And whereas it is expedient that the said first-mentioned Act should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first-recited Act shall continue and be in force until the First Day of *September* One thousand eight hundred and fifty-two, and if Parliament be then sitting, then further until the End of the then Session of Parliament.

CAP. LXX.

An Act to alter and amend certain Provisions of the Lands Clauses Consolidation Act, 1845, so far as relates to Ireland.—[7th August 1851.]

CAP. LXXI.

An Act to repeal certain Statutes relating to the Irish Branch of the United Church of England and Ireland.—[7th August 1851.]

CAP. LXXII.

An Act to consolidate and amend the Laws relating to the Erection and Endowment of Churches and Chapels and Perpetual Curacies in Ireland.—[7th August 1851.]

CAP. LXXIII.

An Act to consolidate and amend the Laws relating to Ecclesiastical Residences in Ireland.—[7th August 1851.]

CAP. LXXIV.

CAP. LXXIV.

An Act to amend an Act of the Eleventh and Twelfth Years of Her Majesty, relating to Poor Rate Poundage and the Valuation of Ecclesiastical Property in Ireland; and to provide for the Renewal of Leases of Lands disappropriated from Bishoprics.—[7th August 1851.]

CAP. LXXV.

An Act to amend and continue the Metropolitan Sewers Acts.—[7th August 1851.]

CAP. LXXVI.

An Act to extinguish the Right of the Crown to Deer in the New Forest, and to give compensation in lieu thereof; and for other Purposes relating to the said Forest.—[7th August 1851.]

CAP. LXXVII.

An Act to alter and extend the Powers of an Act of the Ninth and Tenth Years of Her Majesty's Reign, intituled An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in Battersea Fields in the County of Surrey.—[7th August 1851.]

CAP. LXXVIII.

An Act to continue and amend an Act for establishing an Office for the Benefit of the Coalwhippers of the Port of London.—[7th August 1851.]

CAP. LXXIX.

CAP. LXXIX.

An Act to consolidate and amend the Laws relating to the Regulation of Steam Navigation, and to the Boats and Lights to be carried by Sea-going Vessels.—[7th August 1851.]

WHEREAS it is expedient to consolidate and amend the Laws relating to the Regulation of Steam Navigation, and to the Boats and Lights to be carried by Sea-going Vessels: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

9 & 10
Vict. c.
100. and
11 & 12
Vict. c. 81.
repealed
from the
Time this
Act comes
into opera-
tion, ex-
cept, &c.
Existing
Certifi-
cates to
continue
in force.

I. That an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Steam Navigation, and for requiring Sea-going Vessels to carry Boats*, and another Act passed in the Twelfth Year of the Reign of Her present Majesty, intituled *An Act for the further Regulation of Steam Navigation, and for limiting in certain Cases the Number of Passengers to be conveyed in Steam Vessels*, shall be repealed from the Time that this Act comes into operation as herein-after provided, except as to any Penalties incurred thereunder, and also except as to any Certificates of the Sufficiency of Steam Vessels issued thereunder by the Lords of the Committee of Privy Council for Trade, which Certificates, unless the same be cancelled or revoked under the Provisions of this Act, shall remain and be in force as if this Act had been passed and had come into operation before the issuing thereof, and they had been issued thereunder.

The Naval
Depart-
ment of the
Board of
Trade to
assist in the
Execution
of this Act.

II. And be it enacted, That the Persons from Time to Time appointed to assist the Lords of the said Committee in the Execution of the Mercantile Marine Act, 1850, and who are herein-after referred to as the Naval Department of the Board of Trade, shall assist the Lords of the said Committee in the Execution of this Act.

Survey of
Steam Vessels
and Number
of Passen-
gers.

And with respect to the Provision to be made for ensuring the periodical Survey of Steam Vessels, be it enacted as follows:

Steam Ves-
sels to be
surveyed
and Own-
ers to
transmit

III. The Owner of every Steam Vessel constructed or intended to carry Passengers (except Vessels which fall within the Definition of Foreign-going Ships contained in the Mercantile Marine Act, 1850, and are employed in the Conveyance of the Royal Public Mails or Despatches under Contract with and under the Superintendence of the Lord High Admiral or the Commissioners

Commissioners for executing the Office of Lord High Admiral), shall cause such Steam Vessel to be surveyed twice at least in every Year, at the Times herein-after directed, by a Shipwright Surveyor and by an Engineer Surveyor appointed for the Purposes of this Act by the Lords of the said Committee, such Shipwright Surveyor in the Case of an Iron Steam Vessel being a Person properly qualified to survey Iron Steam Vessels, and shall obtain a Declaration of the Sufficiency and good Condition of the Hull of such Steamer, and of the Boats and other Equipments thereof, required by this Act, and also, if the Lords of the said Committee so require, a Statement of the Number of Passengers (whether Deck Passengers or other Passengers) which such Vessel is constructed to carry, under the Hand of such Shipwright Surveyor, and a Declaration of the Sufficiency and good Condition of the Machinery of such Steamer under the Hand of such Engineer Surveyor, and in such Declarations it shall be distinguished whether such Vessel is in Construction and Equipments adapted for Sea Service as well as for River or Lake Service, or for River or Lake Service only; and when any such Vessel is adapted for Lake and River Service only, such Declaration shall state the local Limits within which such Vessel is in the Judgment of the Surveyor adapted for plying; and in the Case of Sea-going Vessels the Declaration of One of the Surveyors shall contain a Statement that he is satisfied that the Compasses have been properly examined and adjusted; and such Owner shall transmit such Declarations to the Lords of the said Committee within Fourteen Days after the Dates thereof respectively.

*Survey of
Steam Vessels
and Number
of Passen-
gers.*

Declarations to Board of Trade twice a Year.

IV. In all Cases where the same may be possible such Surveys shall be made in the Months of *April* and of *October* and such Declarations shall be transmitted on or before the Thirtieth Day of *April* and the Thirty-first Day of *October* respectively, or if the last preceding Survey of any such Steam Vessel were not made in either of those Months, then such Survey shall be made and such Declaration transmitted in the course of the Thirty Days next before the Expiration of Six Months next after the Date of the Certificate granted as herein-after mentioned upon the last preceding Survey; but if the Owner of any such Steam Vessel as aforesaid be unable to have the same Surveyed in the Month of *April* or *October*, as the Case may be, or in the course of such Thirty Days as aforesaid, either by reason of such Vessel being absent from the United Kingdom during the whole of those Periods respectively, or by reason of such Vessel or the Machinery thereof being under Construction or Repair, or of such Vessel being

Times appointed for the Surveys.

*Survey of
Steam Vessels
and Number
of Passen-
gers.*
—

being laid up in Dock, or for any other Reason satisfactory to the Lords of the said Committee, then the Owner of such Steam Vessel shall have the same surveyed as aforesaid as soon thereafter as possible, and shall transmit such Declarations to the Lords of the said Committee, within Fourteen Days after the Date thereof, together with a Statement of the Reasons which have prevented the Survey of such Vessel at the Time herein-before prescribed; and the Owner of every such Steam Vessel in respect of which such Declarations shall not have been transmitted at the Times and in the Manner herein-before directed shall, except in any Case in which the Survey of such Vessel shall have been prevented as herein-before is provided, forfeit and pay the Sum of Ten Shillings for every Day that the sending of such Declarations is delayed, and such Sum shall be paid upon the issue of the Certificate herein-after mentioned, together with the Fee herein-after mentioned, unless the Lords of the said Committee think fit in any Case to remit such Forfeiture or any Part thereof.

Board of
Trade to
grant Cer-
tificates,
and trans-
mit Lists,
to be put
up at
Custom
Houses.

V. Upon the Receipt of such Declarations the Lords of the said Committee shall register the same, and, if they are satisfied that the Provisions of this Act have been complied with, shall cause to be transmitted to the Master or Owner of the Steam Vessel to which such Declarations refer a Certificate, signed by One of the Secretaries to the said Committee, or by some One or more of the Members of the Naval Department of the Board of Trade, or the Secretary to such Department, that the Provisions of the Law with respect to the Transmission of Declarations in respect of such Vessel have been complied with; and such Certificate shall be called a "Sea-going Certificate" where, according to the Declaration of the Surveyor, such Vessel is adapted for Sea Service as well as River or Lake Service; and such Certificate shall be called a "River Certificate" where, according to such Declaration, such Vessel is adapted for River or Lake Service only, and shall set out the local Limits within which such Vessel is to ply; and where any such Vessel is constructed to carry Passengers, and the Lords of the said Committee think fit so to do, in order to prevent the over-crowding of such Vessel with Passengers, they shall insert in such Certificate the Number of Passengers, whether Deck Passengers or other Passengers, which such Vessel is constructed to carry; and the Lords of the said Committee shall from Time to Time transmit Lists of the Vessels in respect of which such Certificates have been issued to the Officers of Customs in all Ports in the United Kingdom, and such Officers shall cause such Lists to be put up in a conspicuous Place in the Custom House at each Port.

VI. The

VI. The Lords of the said Committee may revoke and cancel such Certificates in any Case where they have Reason to believe that the Declarations of the Sufficiency and good Condition of the Hull and Machinery of any Vessel, or either of them, have been fraudulently or erroneously made, or that such Certificate has otherwise been issued upon false or erroneous Information, or where they have reason to believe that since the making of such Declarations the Hull or Machinery of such Vessel has sustained any Injury, or is otherwise insufficient; and in every such Case the Lords of the said Committee may, if they think fit, require the Owner to have the Hull or Machinery of such Vessel again surveyed, and to transmit a further Declaration or Declarations of the Sufficiency and good Condition thereof before re-issuing any Certificate, or granting a fresh one in lieu thereof; and the Lords of the said Committee may at any Time revoke any Certificate, for the Purpose of inserting in any Certificate to be issued in lieu thereof the Number of Passengers which the Vessel to which such Certificate relates is constructed to carry.

Survey of Steam Vessels and Number of Passengers.

Board of Trade may cancel Certificates, and require fresh Declarations.

VII. No Certificate bearing Date on any Day between the First of *April* and the Fifteenth of *May* in any Year shall be held to be in force, for the Purposes of this Act, after the Fifteenth Day of *November* following, and no Certificate bearing Date on any Day between the First of *October* and the Fifteenth of *November* following, shall be held to be in force for the Purposes of this Act after the Fifteenth Day of *May* following, and no Certificate bearing Date on any Day not falling within the Periods before defined shall be held to be in force after the Expiration of Six Months from the Date thereof, and no Certificate shall be in force after Notice to the Owner or Master of the Vessel to which the same relates by the Lords of the said Committee that they have revoked the same: Provided always, that if any Steam Vessel shall have been absent from the United Kingdom for the whole of the Month of *April* or the whole of the Month of *October* in any Year, or the whole of the Thirty Days next before the Expiration of Six Months from the Date of the Certificate last granted in respect of such Vessel, the Certificate previously granted to such Vessel (if not expressly cancelled or revoked) shall continue in force till the Return of such Vessel to the United Kingdom, and for Twenty-one Days afterwards.

How long Certificates to continue in force.

Proviso.

VIII. The Owner of every Steam Vessel requiring a Certificate under this Act shall pay for every Certificate granted by the Lords of the said Committee such Sum as the Lords of the

Fees to be paid for Certificates.

the

*Survey of
Steam Vessels
and Number
of Passen-
gers.*

the said Committee appoint, not exceeding the Sums following; that is to say,

Where the Tonnage of such Vessel does not exceed One hundred Tons, a Sum not exceeding Two Pounds:

Where such Tonnage exceeds One Hundred Tons and does not exceed Three hundred Tons, a Sum not exceeding Three Pounds:

Where such Tonnage exceeds Three hundred Tons, a Sum not exceeding Four Pounds:

Applica-
tion of
Fees and
Forfeit-
ures.

And such Fees, as well as such Forfeitures as herein-before mentioned, shall be paid to the Lords of the said Committee, or as they may direct, and shall be applied towards defraying the Expenses incurred in execution of this Act; and the Lords of the said Committee may regulate the Manner in which such Fees and Forfeitures are to be received, and in which they are to be kept, and in which they are to be accounted for.

Forgery of
Declara-
tion or Cer-
tificate to
be a Mis-
demeanor,
or subject
Person
summarily
convicted
to Fine or
Imprison-
ment.

IX. Every Person who knowingly and wilfully makes or assists in making a false or fraudulent Declaration or Certificate with respect to any Vessel requiring a Certificate under this Act, or who knowingly and wilfully forges, counterfeits, or fraudulently alters, or assists in forging, counterfeiting, or fraudulently altering, any Declaration or Certificate required by this Act, or any Words or Figures in any such Declaration or Certificate, or the Signature thereto, shall be deemed guilty of a Misdemeanor, or shall be liable, on summary Conviction, to a Penalty not exceeding Fifty Pounds, or to Imprisonment, with or without Hard Labour, not exceeding One Month.

Copy of
Certificate
to be
placed in
conspic-
uous Part
of Vessel.

X. The Owner or Master of every Steam Vessel shall forthwith on Receipt of any such Certificate as aforesaid by him or his Agent from the Lords of the said Committee cause the same or a true Copy thereof, in distinct and legible Characters, to be put up in some conspicuous Part of the Vessel, so as to be visible to all Persons on board the same, and shall cause it to be continued so put up so long as such Certificate remains in force and such Vessel is in use, and in default such Owner, or if he can prove the Default to have been caused by the Master, such Master shall for every Offence be liable to a Forfeiture or Penalty not exceeding Ten Pounds.

Vessel not
to proceed
on her
Voyage
without
Certificate.

XI. It shall not be lawful for any Steam Vessel (other than any such Mail Packet as aforesaid) to proceed to Sea or upon any Voyage or Excursion with any Passengers on board the Owner of which has not transmitted to the Lords of the said Committee the Declarations herein-before required, and the Owner or Master of which has not received from them a Certificate that the Provisions of the Law in that respect have

have been complied with as herein-before provided for, such Certificate being a Certificate applicable to the Voyage or Excursion on which such Vessel is proceeding; and no Officer of Her Majesty's Customs shall clear out any Steam Vessel (other than any such Mail Packet as aforesaid) for Sea or for any Voyage or Excursion, with Passengers on board, or grant to the Owner or Master thereof any Transire or other Customs Document necessary for the conduct thereof, unless upon the Production of such Certificate as aforesaid (being a Certificate then in force;) and if the Owner or Master of any Steam Vessel (other than any such Mail Packet as aforesaid) proceed to Sea or on any Voyage or Excursion, with any Passengers on board, without having such Certificate as aforesaid, or a true Copy thereof in distinct and legible Characters on board, and so put up as aforesaid in some conspicuous Part of the Vessel, (such Certificate being a Certificate then in force,) the Owner thereof shall for such Offence be liable to a Penalty not exceeding One hundred Pounds, and the Master of such Vessel shall also be liable to a further Penalty not exceeding Twenty Pounds.

Survey of Steam Vessels and Number of Passengers.

No Officer of the Customs to clear out, &c. any Steam Vessels, but upon Production of Certificate.

Penalty on Owners and Masters of Vessels proceeding without Certificate.

XII. If in any such Certificate the Number of Passengers which the Vessel to which such Certificate relates is constructed to carry is stated, it shall not be lawful to carry on board thereof any greater Number of Passengers, whether Deck Passengers or other Passengers, than the Numbers thereof respectively stated in such Certificate; and if the Owner or Master or other Person in charge of any such Vessel receive on board thereof, or if such Vessel shall at any Time have on board, any greater Number of Passengers, whether Deck Passengers or other Passengers, than the Numbers thereof respectively specified in such Certificate, the Owner or the Master or other Person having charge thereof shall forfeit a Sum not exceeding Twenty Pounds, and shall also forfeit Five Shillings for every Passenger over and above the Number so specified in the Certificate as aforesaid.

Penalty on Owner, &c. for carrying more Passengers than specified in Certificate.

XIII. If any Person, after having been refused Admission into any Steam Vessel by the Owner or Person in charge thereof, or by any Person in the Employ of the Owner thereof, on account of such Steam Vessel being full, and after having had the full Amount of his Fare (if he has paid the same) returned or tendered to him, shall nevertheless persist in attempting to enter the same, or if any Person having got on board any Steam Vessel, be requested, on the like Account, by the Owner or Person in charge thereof, or by any Person in the Employ of the Owner, to leave such Steam Vessel before the same has quitted the Place at which such Person got on board,

Penalty on Persons forcing their Way on board when Vessels are full.

and

*Survey of
Steam
Vessels and
Number of
Passengers.*

and shall refuse so to do after having had the full Amount of his Fare (if he has paid the same) returned or tendered to him, then and in either of such Cases such Person shall for such Offence forfeit and pay to the Owner of such Vessel any Sum not exceeding Forty Shillings.

Penalty on
Persons
refusing to
pay their
Fares or
to quit the
Vessel.

XIV. If any Person travel or attempt to travel in any Steam Vessel that has been duly surveyed in conformity with the Provisions of this Act without having previously paid his Fare, and with Intent to avoid Payment thereof, or if any Person having paid his Fare for a certain Distance knowingly and wilfully proceed in any such Vessel beyond such Distance without previously paying the additional Fare for the additional Distance, and with Intent to avoid Payment thereof, or if any Person knowingly and wilfully refuse or neglect, on arriving at the Point to which he has paid his Fare, to quit such Vessel, every such Person shall for every such Offence forfeit and pay to the Owner of such Vessel a Sum not exceeding Five Shillings, in addition to the Fare payable by him.

Penalty on
Offenders
refusing to
give their
Name and
Address.

XV. Every Person who, having committed any of the Offences mentioned in the last Two preceding Sections, or either of them, refuses, on Application of the Master of the Vessel or other Person in the Employ of the Owner thereof, to give his Name and Address, or who on such Application gives a false Name or Address, shall forfeit and pay to the Owner of such Vessel a Sum not exceeding Twenty Pounds.

Power for
Board of
Trade to
appoint
and re-
move Ship-
wright
Surveyors,
&c., and
fix Rates
of Remu-
neration.

XVI. The Lords of the said Committee may from Time to Time appoint such Number of fit and proper Persons to be Shipwright Surveyors and Engineer Surveyors for the Purposes of this Act, at such Ports or Places as they think proper, and may from Time to Time remove such Surveyors or any of them, and they may from Time to Time fix, alter, or vary the Rates of Remuneration to be received by such Surveyors.

Surveyors
to make
Returns of
the Build,
&c. of Ves-
sels, and
Owners,
&c., to give
Informa-
tion for
that Pur-
pose.

XVII. The said Surveyors shall make such Returns from Time to Time to the Lords of the said Committee with respect to the Build, Dimensions, Draft, Burden, Rate of Sailing, Room for Fuel, and the Nature and Particulars of Machinery of the Vessels surveyed by them, as shall be required by the Lords of the said Committee; and every Owner, Master, and Engineer of any such Vessel shall, on Demand, give to such Surveyors all such Information and Assistance within his Power as may be required by them for the Purpose of such Returns; and every such Owner, Master, and Engineer who, on being applied to for that Purpose, wilfully refuses or neglects to give such Information or Assistance, shall be liable to a Penalty not exceeding Five Pounds.

Surveyors
to act

XVIII. The said Surveyors shall execute their Duties under the

the Direction of the Lords of the said Committee; and in the Execution of such Duties it shall be lawful for them to go on board any Steam Vessel at all reasonable Times, and to inspect the same or any Part thereof, or any of the Machinery, Boats, Equipments, or Articles on Board thereof to which the Provisions of this Act or any of the Regulations to be made by virtue thereof apply, not unnecessarily detaining or delaying the Vessel from proceeding on any Voyage, and, if in consequence of any Accident to any such Vessel or for any other Reason they consider it necessary so to do, to require the Vessel to be taken into Dock for the Purpose of surveying the Hull thereof; and any Person who hinders any such Surveyor from going on board any such Steam Vessel, or otherwise impedes him in the Execution of his Duty under this Act, shall be liable to a Penalty not exceeding Five Pounds.

*Survey of
Steam Vessels
and
Number of
Passengers.*

under
Direction
of the
Board of
Trade: to
be allowed
to go on
board
Steam Vessels, to
inspect, &c.

XIX. Every such Surveyor who demands or receives, directly or indirectly, from the Owner or Master of any Vessel surveyed by him under the Provisions of this Act, any Fee or Remuneration whatsoever for or in respect of such Survey, otherwise than as the Agent, and by the Direction of the Lords of the said Committee, shall be liable to a Penalty not exceeding Fifty Pounds at the suit of any Person whomsoever.

Penalty on
Surveyors
demanding
or receiving
Fees
unlawfully.

XX. That the Owner of every Steam Vessel built of Iron, of One hundred Tons Burthen or upwards, the building of which shall have been commenced since the Twenty-eighth day of *August* in the Year of our Lord One thousand eight hundred and forty-six, and the Owner of every Steam Vessel built of Iron of less Burthen than One hundred Tons, the building of which shall have commenced after the passing of this Act, except Vessels used solely as Steam Tugs, shall cause the same to be divided by transverse Water-tight Partitions, so that the Fore Part of the Vessel shall be separated from the Engine Room by One of such Partitions, and so that the After Part of such Vessel shall be separated from the Engine Room by another of such Partitions; and it shall not be lawful for the Officers of Her Majesty's Customs, or for any other Person, to grant a Certificate of *British* Registry to, or to clear out or grant a Transire to, or allow to proceed to Sea, any Iron Steamer of One hundred Tons Burthen or upwards, built since the said Twenty-eighth Day of *August* One thousand eight hundred and forty-six, or to any Iron Steamer of less Burthen than One hundred Tons built after the passing of this Act, except as aforesaid, unless the same be so divided as aforesaid; and if any Steamer herein-before required to be so divided proceeds to Sea without being so divided,

*Build of
Iron Steamers.*

Iron
Steamers
to be divided by
Water-tight
Partitions.

Officers of
Customs
not to
grant Certificates,
except so
divided.

Penalty on
Owner for
Neglect.

divided, the Owner shall be liable to a Penalty not exceeding One hundred Pounds.

*Safety
Valves.*

Steam
Vessels to
carry
Safety
Valves out
of control
of Engi-
neer, and to
be deemed
a neces-
sary Part
of Machin-
ery.

*Boats, &c. in
Sea-going
Vessels.*

Sea-going
Vessels to
be provid-
ed with the
Number of
Boats and
of the
Dimen-
sions here-
in men-
tioned.

And with regard to Safety Valves, be it enacted as follows :

XXI. After the Thirty-first Day of *March* One thousand eight hundred and fifty-two it shall not be lawful for any Steam Boat, of which Surveys are required by the Provisions of this Act, to go to Sea, or to steam upon the Rivers of the United Kingdom, without having a Safety Valve upon each Boiler, free from the Care of the Engineer, and out of his Control and Interference; and such Safety Valve shall be deemed to be a necessary Part of the Machinery, upon the Sufficiency of which the Engineer Surveyor is to report as herein provided.

And with respect to the Boats and other Equipments to be provided for Sea-going Vessels, be it enacted as follows :

XXII. No decked Vessel, except Vessels used solely as Steam Tugs, shall proceed to Sea from any Port or Place in the United Kingdom whatsoever unless it shall be provided, according to its Tonnage, with Boats duly supplied with all Requisites for their Use, and not being fewer in Number nor less in their Cubic Contents than the Boats the Number and Cubic Contents of which are specified in the following Table; provided that the said Limits of Dimension be not considered applicable to Vessels engaged in the Whale Fishery :

TABLE.

TABLE.

REGISTERED TONNAGE.		COLUMN 1. — To be carried by Sailing Vessels and Steam Vessels.								COLUMN 2. — To be carried by Sailing Vessels and by Steam Vessels unless they carry the Boats in No. 3.								COLUMN 3. — To be carried by Sailing Vessels which do not carry the Boats in Col. 2.				TOTAL NUMBER OF BOATS.
Sailing Vessels.	Steam Vessels.	Boats.				Boats.				Launches.				Boats.				Sailing Vessels.	Steam Vessels.			
		Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.					
tons. 800 and up- wards }	tons. 500 and up- wards }	1	18	5 6	2 3	2	24	5 6	2 6	1	26	8 0	3 8	2	22	5 6	2 6	4	4 or 5			
600 to 800	- 360 to 500	1	16	5 6	2 3	2	24	5 6	2 6	1	25	7 0	3 6	2	22	5 6	2 6	4	4 or 5			
400 to 600	- 240 to 360	1	16	5 6	2 3	1	22	5 6	2 5	1	22	6 6	3 3	2	22	5 6	2 6	3	3 or 4			
200 to 400	- 120 to 240	1	14	5 0	2 2	—	—	—	—	1	20	6 0	3 0	2	22	5 6	2 6	2	2 or 3			
100 to 200	- 60 to 120	1	14	5 0	2 2	—	—	—	—	1	16	5 6	2 9	2	18	5 6	2 4	2	2 or 3			
Under 100	- Under 60	1	14	5 0	2 2	—	—	—	—	—	—	—	—	—	—	—	—	1	1			

Note.—In the Case of Steam Vessels, Two Paddlebox Boats may be substituted for any Two of the Boats in Column 3.

And no such Vessel carrying more than Ten Passengers shall proceed to sea unless, in addition to the Boats herein-before required, it also be provided with a Life Boat furnished with all

*Boats, &c. in
Sea going
Vessels.*

Enact-
ments with
respect to
Boats and
Life Buoys
in Sect. 9
of 12 & 13
Vict. c. 33.
not to be
affected.

No Steam-
er to pro-
ceed to
Sea with-
out being
provided
with a
Hose and
Signals.

Penalties
on Mas-
ters, &c.
neglecting
to provide
Boats,
Equip-
ments, &c.

Officers of
Customs
not to
clear out
Vessels
not com-
plying
with the
above Pro-
visions.

all Requisites for Use, or unless One of its Boats herein-before required be rendered buoyant after the Manner of Life Boats; and no such Vessel shall proceed to Sea with Passengers as aforesaid unless it also be provided with Two Life Buoys, to be kept ready for immediate Use: Provided, that the Enactments with respect to Boats and Life Buoys herein contained shall not apply in any Case in which a Certificate has been duly obtained under the Ninth Section of the Passengers Act, 1849.

XXIII. No Steam Vessel, except Vessels used solely as Steam Tugs, shall proceed to Sea unless it shall be provided with a Hose adapted for the Purpose of extinguishing Fire in any Part of the Vessel, and capable of being connected with the Engines of the Vessel, nor, if carrying Passengers, without being provided with the following Means of making Signals of Distress, that is to say, Twelve Blue Lights, or Twelve Port-fires, and One Cannon, with Ammunition for at least Twelve Charges, or, in the Discretion of the Master or Owner of such Vessel, with such other Means of making Signals as shall have been previously approved by the Lords of the said Committee.

XXIV. If any such Steam or other Vessel as aforesaid proceed to Sea without being provided with such Boats and other Equipments as herein-before required for such Vessel, or if any of such Boats or other Equipments be lost or rendered useless in the course of the Voyage through the wilful Fault or Negligence of the Owner or Master, or if in case of any of such Boats or Life Buoys being accidentally lost or injured in the course of the Voyage the Master or other Person having charge of the Vessel wilfully neglect to replace or repair the same on the first convenient Opportunity, then and in every Case where the Owner shall appear to be in fault he shall be liable to a Penalty not exceeding One hundred Pounds, and in every Case where the Master or other Person having charge of the Vessel shall appear to be in fault he shall be liable to a Penalty not exceeding Fifty Pounds.

XXV. It shall not be lawful for any Officer of Customs to clear out, or to grant a Transire to, or allow to proceed to Sea, any such Steam or other Vessel as aforesaid, unless the same is provided with such Boats and other Equipments as herein-before required for such Vessel; and in any Case in which any Vessel is delayed by reason of Non-compliance with any of the Provisions herein-before contained the Tide-waiter left on board shall be maintained at the Expense of the Master or Owner of such Vessel until such Provisions are complied with.

And with respect to the Lights to be carried, and other Provision

Provision to be made for guarding against Accidents from Collision, be it enacted as follows :—

XXVI. The Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall from Time to Time make Regulations requiring the Exhibition of such Lights, by such Classes of Vessels, whether Steam or Sailing Vessels, within such Places and under such Circumstances as they think fit, and may from Time to Time revoke, alter, or vary the same, and they shall cause such Regulations to be published in the *London Gazette*, and to be otherwise publicly made known, and such Regulations shall come into operation on a Day to be named in such Gazette, and they shall cause such Regulations to be printed, and shall furnish a Copy thereof to any Owner or Master of a Vessel who applies for the same, and Production of the Gazette containing such Regulations shall be sufficient Evidence of the Purport and due making thereof; and all Owners and Masters or Persons having charge of Vessels shall be bound to take notice of the same, and shall, so long as the same continue in force, exhibit such Lights, and no others, at such Times, within such Places, in such Manner, and under such Circumstances as are enjoined by such Regulations; and in case of Default the Master or other Person having charge of any Vessel, or the Owner of such Vessel, if it appear that he was in fault, shall for each and every Occasion upon which such Regulations are infringed forfeit and pay a Sum not exceeding Twenty Pounds: Provided always, that all Regulations made by the said Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, under the Authority of the said recited Acts or either of them, and in force at the passing of this Act, together with the Penalties applicable thereto, shall continue and be in force as if the same had been made under this Act, until the same be revoked.

Lights, and Provisions against Accidents from Collision.

Admiralty to make Regulations as to Lights.

Penalty on Owners and Masters failing to obey them.

Existing Regulations to continue in force till revoked.

XXVII. Whenever any Vessel proceeding in One Direction meets a Vessel proceeding in another Direction, and the Master or other Person having charge of either such Vessel perceives that if both Vessels continue their respective Courses they will pass so near as to involve any Risk of a Collision, he shall put the Helm of his Vessel to Port, so as to pass on the Port Side of the other Vessel, due Regard being had to the Tide and to the Position of each Vessel with respect to the Dangers of the Channel, and, as regards Sailing Vessels, to the keeping of each Vessel under Command; and the Master of any Steam Vessel navigating any River or narrow Channel shall keep as far as is practicable to that Side of the Fairway or Mid-channel thereof which lies on the Starboard Side of such

Rules to be observed by Vessels passing each other

Lights, and Provisions against Accidents from Collision.

Owners not entitled to Compensation in certain Cases of Collision, but Master to be liable to Penalty.

such Vessel; and if the Master or other Person having charge of any Steam Vessel neglect to observe these Regulations or either of them, he shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds.

XXVIII. If in any Case of a Collision between Two or more Vessels it appear that such Collision was occasioned by the Nonobservance either of the foregoing Rules with respect to the passing of Steamers or of the Rules to be made as aforesaid by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral with respect to the Exhibition of Lights, the Owner of the Vessel by which any such Rule has been infringed shall not be entitled to recover any Recompense whatsoever for any Damage sustained by such Vessel in such Collision, unless it appears to the Court before which the Case is tried that the Circumstances of the Case were such as to justify a Departure from the Rule; and in case any Damage to Person or Property be sustained in consequence of the Nonobservance of any of the said Rules, the same shall in all Courts of Justice be deemed, in the Absence of Proof to the contrary, to have been occasioned by the wilful Default of the Master or other Person having the Charge of such Vessel, and such Master or other Person shall, unless it appears to the Court before which the Case is tried that the Circumstances of the Case were such as to justify a Departure from the Rule, be subject in all proceedings, whether civil or criminal, to the legal Consequences of such Default.

Accidents to be reported to Board of Trade.

XXIX. Whenever any Steam Vessel (other than a Ship of War) has sustained or caused any Accident occasioning Loss of Life or any serious Injury to any Person, or has received any material Damage affecting her Seaworthiness or Efficiency either in her Hull or in any Part of her Machinery, the Owner, Master, or other Person having the Charge of such Vessel shall, within Twenty-four Hours after the happening of such Accident or Damage, or as soon thereafter as possible, transmit through the Post Office to the Lords of the said Committee, by Letter signed by such Master or other Person, a Report of such Accident or Damage, and the probable Occasion thereof, stating the Name of the Vessel, the Port to which she belongs, and the Place where she is; and if such Master or other Person neglect so to do he shall for such Offence be liable to a Penalty not exceeding Fifty Pounds.

Notice to be given of apprehended Loss of

XXX. If the Owner of any Steam Vessel have Reason, owing to the Nonappearance of such Vessel, or to any other Circumstance, to apprehend that such Vessel has been wholly lost,

lost, he shall as soon as conveniently may be send Notice thereof in like Manner to the Lords of the said Committee, and if he neglect so to do within a reasonable Time he shall for such Offence be liable to a Penalty not exceeding Fifty Pounds.

Steam Vessels.

And with regard to the Provision to be made for the Inspection of Steam Vessels, be it enacted as follows:

Inspection of Steam Vessels.

XXXI. The Lords of the said Committee may from Time to Time, whenever it seems expedient to them so to do, appoint any of the Surveyors to be appointed by them as aforesaid, or any other fit Person, as an Inspector, to go on board any Ship or Vessel, to report to them whether the Provisions of this Act, or the Regulations made under or by virtue of this Act, have been complied with, and also whether the Hull and Machinery of such Vessel, if the same be a Steam Vessel, are sufficient and in good Condition, or to report to them upon the Nature and Causes of any Accident or Damage which such Vessel has sustained or caused, or is said to have sustained or caused.

Board of Trade may send Inspectors on board Vessels whenever necessary.

XXXII. It shall be lawful for any such Inspector as aforesaid, and also for any Person being a Member of the said Naval Department of the Board of Trade, to go on board any Steam Vessel at all reasonable Times, and to inspect the same or any Part thereof, or any of the Machinery, Boats, Equipments, or Articles on board thereof to which the Provisions of this Act or any of the Regulations to be made by virtue thereof apply, not unnecessarily detaining or delaying the Vessel from proceeding on any Voyage; and in all Cases of Accident or Damage such Inspector or other Person may make such Inquiries, and require Answers or Returns thereto, as to the Nature, Circumstances, and Causes of such Accident or Damage, as he thinks fit, and may, by Summons under his Hand, require the Attendance of all Persons whom he thinks fit to call before him upon any Question or Matter connected therewith or relating thereto, and may administer Oaths, and examine such Persons upon Oath, and may require and enforce the Production upon Oath of all Log Books, Accounts, Agreements, or other Papers or Writings in anywise relating to any such Matter as aforesaid, or in lieu of requiring and administering an Oath may require any Person to make and subscribe a Declaration of the Truth of the Matters respecting which he has been examined or interrogated: Provided always, that no Person shall be required, in obedience to any Summons from such Inspector or other Person, to travel more than Ten Miles from his actual Abode at the Time of receiving such Summons, unless such reasonable Allowance for Expenses in respect of his Attendance

Powers of Inspectors.

Proviso for Expenses of Witnesses.

*Inspection
of Steam
Vessels.*

tendance to give Evidence and of his Journeys to and from the Place where he may be required to attend for that Purpose be made and tendered to him as would be allowed to any Witness attending on Subpœna to give Evidence before any of Her Majesty's Courts at *Westminster*; and in case of any Dispute as to the Amount of such Expenses the same shall be referred by such Inspector, or other Person, to One of the Masters of Her Majesty's Court of Queen's Bench, and such Master shall, on a Request made to him for that Purpose under the Hand of such Inspector or other Person, ascertain and certify the proper Amount of such Expenses.

Penalty
for ob-
structing
Inspectors.

XXXIII. If any Person wilfully impede such Inspector or other Person in the Execution of any Part of his Duty, whether on board any Ship or Vessel or elsewhere, every Person so offending, and all Persons aiding and assisting therein, may be seized and detained by such Inspector or other Person, or by any Persons called by him to his Assistance, until such Offender can be conveniently taken before some Justice of the Peace or other Officer having proper Jurisdiction; and every such Offender, and also every Person who refuses to attend as a Witness before any such Inspector or other Person, when required so to do, in the Manner hereby directed, or who refuses or neglects to make any Answer, or to give any Return, or to produce any Document in his Possession, or to make or subscribe any Declarations which such Inspector or other Person is hereby empowered to require as aforesaid, shall for each Offence be liable to a Penalty not exceeding Five Pounds.

*Legal
Proceedings.*

Misdemeanors or Offences to be prosecuted by Information or Indictment.

And with respect to legal Proceedings for enforcing the Provisions of this Act, be it enacted as follows:

XXXIV. All Misdemeanors or Offences created by this Act may be prosecuted by Information at the suit of Her Majesty's Attorney General, or by Indictment or other appropriate legal Proceeding in any Court having appropriate Jurisdiction in any of Her Majesty's Dominions, and shall be punishable with Fine or Imprisonment, or both, as such Court thinks fit; and all Penalties and other Sums of Money hereby made payable or recoverable may be recovered, with Costs, and all Offences hereby made punishable may, unless previously punished as Misdemeanors, be prosecuted and punished, and the Costs of such Prosecution recovered, by some appropriate summary Proceeding, before Two or more Justices, or before a Judge exercising Maritime Jurisdiction, or other Officer or Officers having appropriate Jurisdiction in any Part of Her Majesty's Dominions; and all such summary Proceedings, if instituted in *England* or *Wales*, shall, so far as is consistent

sistent with the Provisions of this Act, be carried on in the Manner directed by an Act passed in the Session of the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to summary Convictions and Orders.*

Legal Proceedings.

11 & 12
Vict. c. 43.

XXXV. Every Sheriff in *Scotland* shall, within his own County, and in all Places in which Sheriffs are authorized to exercise Jurisdiction in virtue of the Act of the Session of the Eleventh Year of King *George* the Fourth and First Year of King *William* the Fourth, Chapter Sixty-nine, have such Powers and be entitled to exercise such Jurisdiction under this Act as any Justices have or are entitled to exercise under the Provisions of this Act; and any Proceedings instituted under this Act before any such Sheriff may be conducted in the same Way as any summary Proceedings before any Sheriff Court in *Scotland* may for the time being be lawfully conducted; and every Deliverance, Sentence, and Conviction of any Sheriff under this Act shall be final, and not subject to any Review whatsoever.

Sheriff; in Scotland authorized to exercise Jurisdiction under 11 G. 4. & 1 W. 4. c. 69. to have same Powers, &c. as Justices exercise under this Act.

XXXVI. For the Purpose of giving Jurisdiction under this Act, every Offence shall be deemed to have been committed, and every Cause of Complaint to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Offender or Person complained against may be.

Jurisdiction to be where the Offence is committed and wherever Offender is.

XXXVII. Service of any Summons or other Matter in any legal Proceeding under this Act shall be deemed good Service if made personally on the Person to be served, or if made at his last known Place of Abode or Business, or if made on board any Vessel to which he belongs, and accompanied with a Statement of the Purport thereof to the Person in command or appearing to be in command or charge of such Vessel.

Service to be good if made personally, or at Abode, or on board Ship, &c.

XXXVIII. All Certificates purporting to be issued in pursuance of this Act by the Lords of the said Committee, and to be signed as herein-before required, shall be taken to have been so issued and signed, unless the contrary is proved; and every Document purporting to be an Office Copy of any such Certificate as aforesaid, and to be signed in the Manner herein-before required for the Signature of such Certificate, shall be received in Evidence, and shall be deemed to be a true Copy of the Original of which it purports to be a Copy, and in proving the Transmission of any such Certificate from the Lords of the said Committee to the Master or Owner of any Steam Vessel it shall be sufficient to prove that the same

Proof of Issue and Transmission of Certificates.

was

*Legal
Proceedings.*

was duly received by some Officer of Customs or other public Servant, and was by him delivered to or left at the Place of Abode or Business of such Master or Owner, or delivered to any Person in charge or appearing to be in charge of the Vessel to which the same relates.

Burden of
Proof that
a Ship is
exempted.

XXXIX. If in any legal Proceeding under this Act any Question arises whether any Vessel is or is not within the Provisions of this Act, such Vessel shall be taken to be within such Provisions, unless Proof to the contrary is adduced.

Applica-
tion of
Penalties.

XL. Any Justice or other Court imposing any Penalty under this Act of which no specific Application is herein provided may, if he or they think fit, direct that a Part, not exceeding One Moiety thereof, shall be applied to compensate any Person for any Wrong or Damage which he may have sustained by reason of the Default in respect of which such Penalty is imposed; and, subject to such Directions or specific Application as aforesaid, all such Penalties shall be applied as the Lords of the said Committee direct, in aid of the Expenses to be incurred in execution of this Act.

Indict-
ments to
be pre-
ferred by
Direction
of the
Board of
Trade or
of Commis-
sioners of
Customs.

XLI. No Indictment shall be preferred for any Offence against this Act, unless under the Direction of the Lords of the said Committee or of the Commissioners of Her Majesty's Customs, and no Suit or Proceeding shall be commenced for the Recovery of any Penalty or Forfeiture for any such Offence, except where such Penalty or Forfeiture is made payable to the Owner of a Vessel, and, except in any other Cases in which Directions to the contrary are herein-before contained, unless in the Name of some public Officer under the Direction of the Lords of the said Committee or of the said Commissioners respectively; and in any Indictment preferred or Suit or Proceeding instituted under this Act the Averment that the Lords of the said Committee or the Commissioners of Her Majesty's Customs have directed the same to be preferred or instituted shall be sufficient Proof of the Fact, unless the contrary is shown.

Penalties
to be sued
for with-
in Six
Months.

XLII. No Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act, and made summarily recoverable thereunder, unless the Complaint respecting such Offence be made before such Justice within Six Months next after the Commission of such Offence.

No Pro-
ceeding to
be void for
Informal-
ity or re-
moved by
Certiorari.

XLIII. No Conviction, Order, or other Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari or otherwise into any Superior Court.

XLIV. No Distress levied in any Proceeding under this Act shall be deemed unlawful, nor shall any Person making the

the same be deemed a Trespasser on account of any Defect of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Parties aggrieved by such Defect or Irregularity may recover Satisfaction for the special Damage in an Action.

XLV. If any Person shall think himself aggrieved by any Determination or Adjudication of any Justice with respect to any Penalty or Forfeiture under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County or Place in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless within One Month next after the making of such Determination or Adjudication Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

XLVI. At the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they judge reasonable, and they may make such Order concerning the Costs both of the Adjudication and of the Appeal as they think reasonable.

XLVII. Nothing in this Act contained shall be taken to repeal or alter any of the Provisions of the "Passengers Act, 1849."

XLVIII. Nothing in this Act contained shall apply to any Ship belonging to Her Majesty, nor to any Vessel not being a *British* Vessel or a Vessel owned wholly or in part by *British* Subjects, nor to any Steam Ferry Boat working in Chains commonly called a Steam Floating Bridge.

XLIX. Nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being,

Legal Proceedings.

Distress not unlawful for Want of Form.

Parties aggrieved may appeal to Quarter Sessions on giving Security.

Court to make such Order as they think reasonable.

Miscellaneous.

Not to affect 12 & 13 Vict. c. 33.

Not to extend to Ships of War or Foreign Vessels.

Nothing to affect Privileges of Corporation of *London*.

Miscellaneous.

being, nor prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being as Conservator of the River *Thames*, or otherwise, or the Lord Mayor and Court of Aldermen, or the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled, under or by virtue of any Act of Parliament, did or might lawfully claim, use, or exercise.

Legal Proceedings.

Copy of this Act, &c. to be kept on board.

Penalty for Neglect.

Commencement of Act.

Short Title.

L. The Master of every Steam Vessel to which this Act applies shall provide himself with a Copy thereof, and also of all Regulations made by virtue of this Act by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, with respect to the Exhibition of Lights, and shall at all Times keep the same on board his Vessel, and in case he refuse or neglect to do so shall be subject to a Penalty not exceeding Five Pounds.

LI. This Act shall come into operation on the Thirty-first of *December* after the passing thereof, and may be cited as "The Steam Navigation Act, 1851."

CAP. LXXX.

An Act for confirming a certain Provisional Order of the General Board of Health for applying the Public Health Act, 1848, to the Borough of Great Yarmouth in the County of Norfolk.—[7th August 1851.]

CAP. LXXXI.

An Act to authorize the Removal from India of Insane Persons charged with Offences, and to give better Effect to Inquisitions of Lunacy taken in India.—[7th August 1851.]

CAP. LXXXII.

An Act to simplify the Forms of Appointments to certain Offices, and the Manner of passing Grants under the Great Seal.—[7th August 1851.]

CAP. LXXXIII.

CAP. LXXXIII.

An Act to improve the Administration of Justice in the Court of Chancery and in the Judicial Committee of the Privy Council.—[7th August 1851.]

CAP. LXXXIV.

An Act to alter and amend an Act empowering the Canterbury Association to dispose of certain Lands in New Zealand.—[7th August 1851.]

CAP. LXXXV.

An Act further to amend an Act of the Sixth Year of King William the Fourth, to consolidate and amend the Laws relating to the Constabulary Force in Ireland.—[7th August 1851.]

CAP. LXXXVI.

An Act to regulate the Affairs of certain Settlements established by the New Zealand Company in New Zealand.—[7th August 1851.]

CAP. LXXXVII.

An Act to regulate certain Proceedings in relation to the Elections of Representative Peers for Scotland.—[7th August 1851.]

WHEREAS it is expedient to provide a Manner in which the Death of a Representative Peer for *Scotland* may be certified to Her Majesty, in order that Her Majesty may direct a Proclamation to be issued for the Election of another Peer of *Scotland* in the Room of such Peer deceased: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That

Certificate from Two Peers of Scotland held to be formal Notice of the Death of any Representative Peer.

Time of Publication of Proclamation for Election altered from 25 Days to 10 Days.

Peers of Scotland may take the Oaths, &c. in Courts of Ireland, and before other Officers.

I. That a Certificate under the Hands of any Two Peers of *Scotland*, who shall be at the Time of their signing such Certificate either Representative Peers, or shall have voted at former Elections of a Representative Peer or Peers for *Scotland* without Protest having been made to the Reception of their Votes, according to the Provisions of an Act passed in the Parliament held in the Tenth and Eleventh Years of Her present Majesty, Chapter Fifty-two, or having been so protested against shall have established their Right to vote in respect of their Peerages, shall be held to be formal and sufficient Evidence of the Death of such Peer for the Purpose of issuing such Proclamation as aforesaid.

II. And whereas by an Act passed in the Sixth Year of Her late Majesty Queen *Anne*, Chapter Twenty-three, it is enacted, that every Proclamation issued for such Elections shall be published as therein provided Five-and-twenty Days at the least before the Time thereby appointed for the Meeting of the Peers to proceed to such Election: And whereas on account of the increased Facilities of Communication which now exist such Delay is no longer necessary, and it is expedient that the same should be shortened: Be it enacted. That from and after the passing of this Act, instead of Twenty-five Days, all such Proclamations shall be published Ten Days at least before the Time therein appointed for the Meeting of the Peers to proceed to such Elections, and that the Time to be appointed in any such Proclamation for such Meeting shall not be later than Twenty-five Days from the Date of such Proclamation.

III. And be it enacted, That a Peer of *Scotland* may take the Oaths and subscribe the Declaration required by Law to entitle such Peer to vote by Proxy or signed List at such Elections in Her Majesty's High Court of Chancery in *Ireland*, or Her Majesty's Courts of Queen's Bench, Common Pleas, or Exchequer in *Ireland*, in the same Manner and under the same Regulations as they may take and subscribe the same in the like Courts in *England*, or may take the said Oaths and subscribe the said Declaration before the Lieutenant of any County in *Great Britain* or *Ireland*, or any Member of Her Majesty's Most Honourable Privy Council in *Great Britain* or *Ireland*, or any Judge of a County Court in *England*, or any *British* Ambassador or Minister accredited to any Foreign Court, or the Secretary of any such Embassy or Legation, or the Governor, Lieutenant Governor, or Officer administering the Government of any of Her Majesty's Plantations, Colonies, or Possessions abroad, or any of Her Majesty's Judges residing therein; and every such Person before whom the said Oaths shall be taken and the said Declaration subscribed

scribed shall certify the same in a Certificate attached to the Declaration, which shall be produced, together with the Proxy or signed List of the Peer, at such Election: Provided always, that nothing herein contained shall be construed to prevent any Peer taking such Oaths and subscribing such Declaration in any Manner at present competent by Law.

IV. And whereas by the before-mentioned Act passed in the Parliament held in the Tenth and Eleventh Years of Her present Majesty, Chapter Fifty-two, it is enacted, that at all future Meetings of the Peers of *Scotland* for such Elections the Lord Clerk Register, or the Clerks of Session officiating thereat in his Name, shall not call the Titles of any Peerages standing on the Roll in right of which no Vote shall have been received and counted since the Year One thousand eight hundred, with other Provisions connected therewith, and it is expedient that the Principle on which the said Enactment is founded should be continued and extended: Be it enacted, That after every Meeting of the Peers of *Scotland* assembled under any Royal Proclamation for the Election of a Peer or Peers to represent the Peerage of *Scotland* in Parliament, the Lord Clerk Register, or the Clerks of Session officiating thereat in his Name, shall transmit to the Clerk of the Parliaments the Titles of any Peerages called at such Meeting in right of which no Vote shall have been received and counted for Fifty Years then last past or for any longer Period, and on receiving an Order from the House of Lords to abstain from calling such Title at future Meetings for such Elections it shall not be lawful for the said Lord Clerk Register or Clerks of Session to call such Title at any subsequent Meeting, or to administer the Oaths to any Person claiming to vote in right of such Peerage, or to receive and count the Vote of any such Person, or to permit any such Person to take part in the Proceedings of any such Election, until otherwise directed by Order of the House of Lords.

Titles of
Peerages
in right of
which no
Vote has
been given
for Fifty
Years not
to be called
at Elec-
tions, if the
House of
Lords shall
so direct.

CAP. LXXXVIII.

An Act for amending the several Acts for the Regulation of Attornies and Solicitors.—[7th August 1851.]
(England and Ireland.)

CAP. LXXXIX.

CAP. LXXXIX.

An Act to amend the Metropolitan Interment Act, 1850, and to authorize the Advance of Public Money to a limited Amount for the Purposes of the said Act.
—[7th August 1851.]

CAP. XC.

An Act for the better Collection of Fines, Penalties, Issues, Amerciaments, and forfeited Recognizances in Ireland.—[7th August 1851.]

CAP. XCI.

An Act to authorize the Application of Advances (out of Money now authorized to be advanced for the Improvement of Landed Property) to facilitate Emigration from certain distressed Districts of Scotland.
—[7th August 1851.]

WHEREAS great Distress prevails in certain Parts of the Highlands and Islands of Scotland, which would be most effectually relieved by affording Facilities for the voluntary Emigration of a Portion of the Population of those Districts, and it is expedient to enable Owners of Land in the said Highlands and Islands to defray the whole or Part of the Expense of the Emigration of poor Persons desirous of Emigrating from the Parishes or Combinations in which such Land is situate, and to charge their Estates for that Purpose in like Manner as they are now authorized to do under the Acts herein-after mentioned, for Purposes of Improvement: And whereas an Act was passed in the Session holden in the Ninth and Tenth Years of Her Majesty (Chapter One hundred and one), “to authorize the Advance of Money to a limited Amount to promote the Improvement of Land in Great Britain and Ireland, by Works of Drainage;” and the said Act was explained and amended by an Act passed in the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Eleven; and an Act was passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and nineteen, to simplify the Forms

9 & 10
Vict. c.
101.

10 & 11
Vict. c. 11.

11 & 12
Vict. c.
119.

Forms of Certificate under the said first-mentioned Act; and an Act was passed in the last Session of Parliament (Chapter 13 & 14 Thirty-one), "to authorize further Advances of Money for Vict. c. 31. " Drainage and the Improvement of Landed Property in the " United Kingdom, and to amend the Acts relating to such " Advances." And whereas Funds remain applicable for Advances under the said Acts: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Any Owner of Land in the Highlands or Islands of *Scotland*, who may be desirous of obtaining an Advance by way of Loan, under this Act, for defraying in whole or in part the Expenses of the Emigration of any poor Persons in the Parishes or Combinations in which such Land is situate, willing to Emigrate to Parts beyond the Seas, may make Application to the Inclosure Commissioners for *England* and *Wales* for such Advance: Provided always, that such Application shall be with the Consent of the Board of Supervision for the Relief of the Poor in *Scotland*, who shall signify in Writing under the Hand of One of the Members of such Board, or of their Secretary, their Opinion that such Emigration would be expedient, and that Notice of such Application, with Lists and Particulars of the Persons the Expenses of whose Emigration it is so proposed to defray in whole or in part, shall be transmitted by such Owner to the Colonial Land and Emigration Commissioners.

II. The Inclosure Commissioners shall make such Inquiries in relation to any such Application as they may think necessary, and shall report their Opinion thereon to the Commissioners of Her Majesty's Treasury; and the Colonial Land and Emigration Commissioners, after making any Inquiries which they may think proper in relation to the proposed Emigration, shall report their Opinion to the said Commissioners of the Treasury as to the Propriety of such Emigration; and if it appear to the said Commissioners of the Treasury that an Advance should be made, they may direct the said Inclosure Commissioners to issue a Provisional Certificate for such Advance, and such Inclosure Commissioners shall thereupon issue a Provisional Certificate, which shall declare, that upon its being certified to them, by the Colonial Land and Emigration Commissioners, that the proposed Emigration has taken place, and that the Expense or Portion of the Expense thereof in respect of which the Advance is to be made has been actually defrayed by the Owner

Land-owners in the Highlands or Islands of Scotland may make Application for Loans for defraying Expenses of Emigration of the Poor.

After Inquiries by Inclosure Commissioners and Colonial Land and Emigration Commissioners, Treasury may direct the Issue of a Provisional Certificate.

Owner of the Land mentioned in such Provisional Certificate, the said Inclosure Commissioners will certify to the Commissioners of the Treasury their Opinion that such Advance should be made out of the Monies applicable under the said Acts, and such Advance may be made accordingly, and the Land mentioned in such Provisional Certificate shall be charged in respect thereof, in like Manner as the same may be charged in respect of Advances made for the Improvement thereof under the said Acts.

Restrictions on Amount of Loans not to be applicable to Loans under this Act.

III. So much of the said Acts as limits the Amount for which a Provisional Certificate may be issued upon any Application or Applications by the same Owner or in respect of the same Land, shall not extend or be applicable to or in the Case of any Provisional Certificate to be issued upon any Application under this Act, and no Provisional Certificate issued or Advance made under this Act shall be taken into account in computing the Amount for or in respect of which Provisional Certificates may be issued under the said Acts.

Emigration Commissioners may circulate Notices of Particulars.

IV. The Colonial Land and Emigration Commissioners may issue and cause to be circulated, as they may think proper, Notices of the Particulars which should be transmitted to them in respect of Applications under this Act.

Provisions of recited Acts to extend to Applications and Advances under this Act.

V. All the Provisions of the said Acts in relation to and consequential upon Applications and Advances, and the Charges in respect of such Advances, under the said Acts or any of them, shall (so far as the Nature of the Case permits, and subject to the Provisions of this Act) extend and be applicable to and in the Case of Applications and Advances, and the Charges in respect of such Advances under this Act; and the said Acts and this Act shall be read together as One Act.

CAP. XCII.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise Summary Jurisdiction in Ireland.
—[7th August 1851.]

CAP. XCIII.

An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in Ireland.—[7th August 1851.]

CAP. XCIV.

CAP. XCIV.

An Act to define and amend the Mineral Customs of certain Parts of the Hundred of High Peak in the County of Derby, Part of the Possessions of Her Majesty's Duchy of Lancaster; to make Provision for the better Administration of Justice in the Barmote Courts therein; and to improve the Practice and Proceedings of the said Courts.—[7th August 1851.]

CAP. XCV.

An Act for transferring the Duties of paving, lighting, watering, and cleansing Parts of the Crown Estate in the District of the Regent's Park and certain Streets and Places in Westminster from the Commissioners acting under several Acts of their late Majesties King George the Fourth and King William the Fourth to the Parishes; and for transferring the Jurisdiction of the said Commissioners over certain other Places in Westminster to the Commissioners of Her Majesty's Works and Public Buildings; and for other Purposes.—[7th August 1851.]

CAP. XCVI.

An Act to amend the Mercantile Marine Act, 1850.—[7th August 1851.]

CAP. XCVII.

An Act to amend the Church Building Acts.—[7th August 1851.] (England and Wales.)

CAP. XCVIII.

An Act for confirming certain Provisional Orders of the General Board of Health.—[7th August 1851.] (England.)

CAP. XCIX.

CAP. XCIX.

An Act to amend the Law of Evidence.—[7th August 1851.]

§ XVIII. *This Act shall not extend to Scotland.*

CAP. C.

An Act for further improving the Administration of Criminal Justice.—[7th August 1851.]

§ XXXII. *Nothing in this Act shall extend to Scotland.*

CAP. CI.

An Act to apply a Sum of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and fifty-one; and to appropriate the Supplies granted in this Session of Parliament.—[8th August 1851.]

CAP. CII.

An Act to amend the Acts relating to the Merchant Seamen's Fund, and to provide for winding up the said Fund, and for the better Management thereof in the meantime.—[8th August 1851.]

CAP. CIII.

An Act to confirm certain Provisional Orders of the General Board of Health. — [8th August 1851.] (England.)

CAP. CIV.

An Act to facilitate the Management and Improvement of Episcopal and Capitular Estates in England.— [8th August 1851.]

CAP. CV.

CAP. CV.

An Act to continue an Act of the Fourteenth Year of Her Majesty for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund ; and to make certain Amendments in the Laws for the Relief of the Poor.—[8th August 1851.]

CAP. CVI.

An Act for appointing Commissioners to inquire into the Existence of Bribery in the Borough of St Albans.—[8th August 1851.]

LOCAL

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED,

Passed in the FOURTH Session of the FIFTEENTH Parliament of the United Kingdom of *Great Britain and Ireland*.

14° & 15° VICT.

AN Act for repairing and managing the Roads from the *Brighthelmston Road at Pyecombe to Hand Cross*, and from *Pyecombe to the Henfield Road at Poynings Common*, in the County of *Sussex*.

- ii. An Act for the Improvement of the Sewerage of the Borough of *Leicester*, and for making other Provisions for the Sanitary Regulation of such Borough.
- iii. An Act for building a Bridge over *Ouseburn*, with Approaches thereto, in the Borough and County of *Newcastle-upon-Tyne*.
- iv. An Act to make the Limits of the *Dewsbury Gas Act* commensurate with the whole of the Parish of *Dewsbury* and the Township of *Batley* in the Parish of *Batley*; and to authorize the raising of a further Sum of Money.
- v. An Act for rendering valid certain Letters Patent granted to *John Laird of Birkenhead*, Shipbuilder.
- vi. An Act for establishing new Markets and Market Places in the City of *Durham*, for abolishing the Corn Tolls and for regulating the Markets and Fairs within the said City and the Suburbs thereof, and for other Purposes.
- vii. An Act for altering and amending the *Walworth Common Inclosure Act*, 10 Geo. 3. Cap. 72.; for authorizing a Partition of the *Walworth Common Estate*; for incorporating the Governors and Guardians of the Poor of the Parish of *Saint Mary Newington* in the County of *Surrey*, and for enabling such Governors and Guardians to erect a new Workhouse; for altering and amending the Acts 54 Geo. 3. Cap. 113. and the 1 Geo. 4. Cap. 41. relating to the said Parish; and for other Purposes.
- viii. An Act for amending an Act passed in the Forty-second Year of the Reign of His Majesty King *George the Third*,
for

- for draining and improving certain Fen Lands and Low Grounds in the Parishes of *Downham Market*, *Wimbotsham*, *Stow Bardolph*, and *Denver*, in the County of *Norfolk*.
- ix. An Act to confirm the Issue of certain Shares in the *Reading Cemetery Company*; to enable the Company to raise a further Sum of Money; and for other Purposes.
- x. An Act for Relief to the several Townships in the Parish of *Manchester* from the Repair of Highways not situate within such Townships respectively.
- xi. An Act to extend and amend the Provisions of the Act relating to the *Cheltenham and Painswick* District of Turnpike Roads in the County of *Gloucester*, and to create a further Term therein.
- xii. An Act to amend and extend the Provisions of the Act relating to the *Cheltenham and Gloucester* District of Turnpike Roads in the County of *Gloucester*, and to create a further Term therein.
- xiii. An Act for keeping in Repair the Road from *Appleby* in the County of *Westmoreland* to *Kirkby-in-Kendal*, and from *Orton* to the Turnpike Road near *Shap*, and from *Highgate*, near *Tebay*, through *Kirkby Stephen*, to *Market Brough* in the said County.
- xiv. An Act for incorporating the "*Scarborough Gas Company*," for enabling the Company to raise a further Sum of Money for better supplying the Borough of *Scarborough* with Gas, and for other Purposes.
- xv. An Act to amend and extend the Provisions of an Act for widening and improving the Road leading from the Turnpike Road in the Town of *Tenterden*, through *Woodchurch*, to *Warehorne*, and the Road leading out of the Turnpike Road in the Parish of *Bethersden*, through *Woodchurch*, to *Appledore* in the County of *Kent*; and to create a further Term therein.
- xvi. An Act to provide for the Alteration or Extinguishment of the existing Rights in the Freeman's Pastures in the Township and Borough of *Hartlepool* in the County of *Durham*, and for the Appropriation and Management of such Pastures; for vesting in the Body Corporate of the Borough the Harbour Dues receivable by them; and for other Purposes.
- xvii. An Act to amend an Act passed in the Third Year of the Reign of King *George the Fourth*, intituled *An Act for more effectually repairing the Roads from Nether Bridge to Levens Bridge, and from thence through the Town of Millthorp to Dices, and from the Town of Millthorp to Hangbridge, and from thence to join the Heronsyke Turnpike Road near Clawthorpe Hall, in the County of Westmoreland.*
- xviii. An

- xviii. An Act for more effectually repairing the Road from *Beck Fen Lane* in the Parish of *Mildenhall* in the County of *Suffolk* to *Littleport* in the *Isle of Ely* and County of *Cambridge*, and other Roads therein mentioned in the Counties of *Norfolk* and *Suffolk*.
- xix. An Act to authorize the Construction of a Bridge across the Lower Turnpike Road leading from *Greenwich* to *Woolwich*, and the crossing of a Footpath.
- xx. An Act for maintaining in repair several Roads leading from and through the Town of *Wiveliscombe* in the County of *Somerset*, and the Roads adjoining thereto in the Counties of *Somerset* and *Devon*.
- xxi. An Act for making a Railway from the *Chester and Holyhead* Railway near *Bangor* to *Port Dinorwic* and *Caernarvon*.
- xxii. An Act to amend some of the Provisions of the Acts relating to the *Bristol and Exeter* Railway Company, and to grant to such Company certain Powers of holding Shares in other Undertakings.
- xxiii. An Act for empowering the *Stockton and Darlington* Railway Company, and their Lessors, the *Wear Valley* Railway Company, and the *Middlesbrough* and *Redcar* Railway Company, to raise more Money; and for other Purposes.
- xxiv. An Act for repairing the Road leading from *Shrewsbury* to *Bridgnorth*, and several other Roads therein mentioned.
- xxv. An Act to enable the *Scottish Central* Railway Company to raise a further Sum of Money.
- xxvi. An Act for making a Railway from *Halesworth* to *Beebles* and *Haddiscoe*, with a Branch therefrom, to be called "*The Halesworth, Beebles, and Haddiscoe* Railway."
- xxvii. An Act for enabling the *North British* Railway Company to enlarge their Station at *Edinburgh*, and to make certain short Railways there and at *Dalkeith*; and for other Purposes.
- xxviii. An Act for making a Branch Railway from the *London and Blackwall* Railway to *Haydon Square, Whitechapel*; and for amending some of the Powers of the Acts relating to the *London and Blackwall* Railway Company.
- xxix. An Act for extending the Benefit of the Royal Naval School to Children at present ineligible to be admitted therein, and for authorizing the Establishment of a Chapel in connexion with the said School, and for amending the Acts relating thereto.
- xxx. An Act for extending the Time limited for widening the *London and Blackwall* Railway, and for making the Branches to the *London* and *Saint Katherine* Docks; for erecting a Station

Station and other Works at *Rhodeswell* in the Parish of *Saint Anne*; and for amending the Acts relating to the said Railway.

xxx. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Western District of the *Richmond and Lancaster* Turnpike Road.

xxxii. An Act to enable the Company of Proprietors of the *Regent's Canal* to enlarge the Reservoir on the River *Brent*; and to amend the Acts relating to the Canal.

xxxiii. An Act to amend "The *Leicester Waterworks Act*, 1847," to make certain Alterations in the Works, and to extend the Period for completing such Works; and also to authorize an Arrangement with the Local Board of Health for the Borough of *Leicester*.

xxxiv. An Act for continuing the Term of the *Derby, Ashborne, and Hurdloe Road Act*, and for other Purposes.

xxxv. An Act for the making of a Railway from *Mayfield* in the County of *Sussex* to join the Railway from *Tunbridge Wells* to near *Hastings* of the *South-eastern Railway Company*, and to be called "The *Mayfield Railway*."

xxxvi. An Act for supplying the Inhabitants of the Town of *Whitby* and adjacent Places with Water.

xxxvii. An Act for repairing and managing the Roads from the North End of the Town of *Derby* in the County of *Derby* to *Sheffield* in the County of *York*, and from *Duffield* to *Wirksworth* in the County of *Derby*.

xxxviii. An Act for erecting and maintaining new Public Offices for the County of *Aberdeen*, for altering and enlarging the present Record Office of the County, and for other Purposes.

xxxix. An Act to authorize certain Alterations in the Line and Levels of the *Malton and Driffield Junction Railway*, and to amend the Act relating thereto.

xl. An Act for making a Railway from the *Gloucester and Dean Forest Railway* in the Parish of *Westbury* in the County of *Gloucester* to the City of *Hereford*.

xli. An Act to continue the Term of the Act of the Sixth Year of *George the Fourth* Chapter Fifty-one (Local,) so far as relates to the Turnpike Road between *Manchester* and *Audenshaw* in the Parish of *Ashton-under-Lyne*, all in the County Palatine of *Lancaster*; and to make better Provision for the Repair of the Road; and for other Purposes.

xlii. An Act to improve the Town of *Harwich*, to reclaim Part of the Foreshore of *Harwich Harbour*, and to construct Quays and a Pier, and for other Purposes.

xliii. An Act to enable the *Commercial Dock Company* to purchase and enlarge the *East Country Dock*; to construct

a Tramway to connect their Docks with the *Deptford* Branch Railway; and for other Purposes.

- xliv. An Act to authorize a Deviation in the Line of the *Killarney and Valencia* Railway, and to continue and revive the Powers granted by "The *Killarney and Valencia* Railway Act, 1847," for the compulsory Purchase of Lands, and to extend the Period by such Act limited for the Completion of the said Railway.
- xlv. An Act to enable the *Great Northern* Railway Company to construct Stations at *Knottingley* and *Wakefield*; to increase their Capital; to enlarge their *London* Station; to amend their Acts; and for other Purposes.
- xlvi. An Act to authorize Deviations of the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway between *Sheffield* and *Barnsley*; and to amend the Acts relating to the said Railway.
- xlvii. An Act for altering the Name of the *Lewis and Thirsk* Railway Company to the Name of the *Leeds Northern* Railway Company, for extending the Time for completion of certain Works, for regulating the Capital of the Company, and for other Purposes.
- xlviii. An Act for enabling arrangements with reference to the Purchase, Lease, or other Use by the *Great Western* Railway Company of the *Wilts, Somerset, and Weymouth* Railway, the *Gloucester and Dean Forest* Railway, and the *South Wales* Railway respectively, to be effected; and for other Purposes.
- xliv. An Act for making and maintaining Docks at *Baylan Bay* in the County of *Glamorgan*, with a Branch Line of Railway to the *South Wales* Railway.
- i. An Act for repairing the Road from the Town of *Stroud* in the County of *Gloucester*, through *Pitchcomb*, into the City of *Gloucester*.
- ii. An Act for extending the Powers of *Price's* Patent Candle Company in relation to Letters Patent for Inventions applicable to their Undertaking.
- lii. An Act to enable the *South Wales* Railway Company to make a new Railway in the *Forest of Dean*, in lieu of the Railway already authorized, to construct new Lines at *Cardiff* and *Britton Ferry*, and to make an Alteration in the Line and Levels of their Railway; and for other Purposes.
- liii. An Act for facilitating the Conversion by the *South Devon* Railway Company of Loan into Capital, and for enabling the same Company to effect Arrangements between different Classes of Shareholders for the Creation of new Shares; and for other Purposes.
- liv. An Act for making a Railway from the *Edinburgh, Perth, and*

- and *Dundee* Railway at or near to *Milton* in the Parish of *Leuchars* to the City of *St. Andrews*, to be called "The *St. Andrews* Railway."
- lv. An Act to consolidate and amend the Acts relating to the *Edinburgh, Perth, and Dundee* Railway Company, and to grant further Powers to the said Company.
- lvi. An Act to amend the Acts relating to the *East Lancashire* Railway Company, and to enable the Company to increase their Capital and Tolls.
- lvii. An Act to regulate and increase the Capital of the *Midland* Railway Company, and to confirm and legalize the Creation and Issue of certain Fifty Pound Shares, and the Application of the Proceeds of such Shares; and for other Purposes.
- lviii. An Act to facilitate Intercourse between the *Eastern Union* and certain other Railways; to alter certain Charges upon the *Eastern Union* Railway and the *Stowmarket* Navigation; and for other Purposes.
- lix. An Act to amend an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for repairing and maintaining the Road from Huddersfield in the West Riding of the County of York to New Hey in the Parish of Rochdale in the County of Lancaster, with a Branch to Toothill Lane in the said Riding, and for making a new Road from Buckstones to the Highway leading from Ripponden to Stainland at or near to Barkisland School*, and to continue the Term thereby granted.
- lx. An Act for managing and repairing the Roads leading from *Uttoxeter* to *Stoke* near *Stone*, and from *Millwich* to *Sandon*, in the County of *Stafford*.
- lxi. An Act to extend the Term and alter the Provisions of Two Acts relating to the *Buckingham, Brackley, and Banbury* Turnpike Road, and of an Act relating to the *Towcester, Brackley, and Weston on the Green* Turnpike Road, and to consolidate the Management of the said Turnpike Roads.
- lxii. An Act to authorize certain Deviations of the *Slamannan and Borrowstounness* Railway.
- lxiii. An Act to enable the *Dundee and Arbroath* Railway Company to enlarge their present Terminal Station in *Dundee*, and to amend the Acts relating to the Company.
- lxiv. An Act to alter the Constitution of the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks, to authorize the Establishment of an Emigrant's Home, and to alter and amend the Acts relating to the Docks and Harbour of *Liverpool*.
- lxv. An Act for extending the Provisions of the *Weston-super-Mare*

- super-Mare* Improvement and Market Act, and for granting further Powers relating to the Sewage of the Town.
- lxvi. An Act for constructing a Railway from the *Tivetshall* Station of the *Eastern Union* Railway to *Bungay* in *Suffolk*.
- lxvii. An Act for the better Improvement and Regulation of the Borough of *Sunderland* in the County of *Durham*, and for other Purposes.
- lxviii. An Act to enable the Company of Proprietors of the *Hayling Bridge* and Causeway to construct a Railway from their Docks and Wharves at *Langstone* to join the *London, Brighton, and South Coast* Railway at *Havant* in the County of *Southampton*.
- lxix. An Act to incorporate the *Great Central* Gas Consumers Company.
- lxx. An Act to alter and enlarge the Powers of the *Reading* Waterworks Company, and to authorize an Extension of the Works of the said Company.
- lxxi. An Act for making a Railway from *Warrington* to *Altrincham*, with a Branch to join the *Bickenhead, Lancashire, and Cheshire Junction* Railway at *Lower Walton*, to be called the *Warrington and Altrincham Junction* Railway; and for other Purposes.
- lxxii. An Act for enabling the *Maryport and Carlisle* Railway Company to make a Deviation in their Line of Railway, and increase their Capital: and for other Purposes.
- lxxiii. An Act for constructing and maintaining a Quay and other Works at *North Shields* in the County of *Northumberland*, and for other Purposes.
- lxxiv. An Act to ratify and confirm certain Subscriptions and Payments made by or on behalf of the *South Wales* Railway Company to other Railway Companies.
- lxxv. An Act to amend the Act relating to the *Great North of Scotland* Railway Company.
- lxxvi. An Act to renew the Term and continue the Powers and Provisions of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving several Districts of Malmesbury Turnpike Roads, and other Roads connected therewith, in the Counties of Wilts, Berks, and Gloucester*, so far as relates to the First and Second Districts.
- lxxvii. An Act to authorize the *Chorley* Waterworks Company to raise a further Sum of Money.
- lxxviii. An Act for the better raising and securing a Fund for a Provision for the Widows and Children of the Ministers of the Free Church, and for the Widows and Children of the Professors holding Professors Offices in any College connected with the said Church.
- lxxix. An

- lxxix. An Act for the further Amendment of the Acts relating to the *Manchester Corporation Waterworks*.
- lxxx. An Act to explain, amend, and enlarge some of the Provisions of the Acts relating to The *Great Southern and Western Railway Company*; and to enable the said Company to raise further Capital, and to construct a Dock or Basin at *Cork*.
- lxxxi. An Act for enabling the *Great Western Railway Company* to construct a Station and Works at *Aston-juxta-Birmingham*.
- lxxxii. An Act to provide for the Repair and Maintenance of the Cathedral Church of *Saint Patrick, Dublin*.
- lxxxiii. An Act for authorizing certain Deviations in the *Taw Vale Extension Railway*, and for other Purposes.
- lxxxiv. An Act for enabling the *York, Newcastle, and Berwick Railway Company* to abandon a portion of their *Bishop Auckland Branch Railway*, and substitute in lieu thereof a new Line of Railway; and to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorized to be made in the County of *Durham*; and for other Purposes.
- lxxxv. An Act for facilitating the Transmission to and from the *York, Newcastle, and Berwick Railway* of the Traffic of the *Byers Green Branch* of the *Clarence Railway*; for enabling the *York, Newcastle, and Berwick Railway Company* to hold Shares in the *West Durham Railway*; for granting further powers to their Lessors, the *Great North of England, Clarence, and Hartlepool Junction Railway Company*, and the *Hartlepool Dock and Railway Company*, in reference to their Capital; and for other Purposes.
- lxxxvi. An Act for amending the Act relating to the Electric Telegraph Company.
- lxxxvii. An Act for the Restoration of the Standard in the River *Dee*, and for granting further Powers to the River *Dee Company*.
- lxxxviii. An Act to authorize the Acquisition by the *Midland Railway Company* of the Estate and Interest of the *Leeds and Bradford Railway Company* in the *Leeds and Bradford Railway*, and to empower the *Midland Railway Company* to raise Money for such Purpose.
- lxxxix. An Act for extending and enlarging the Powers of the *Bolton, Blackburn, Clitheroe, and West Yorkshire Railway Company*, for changing the Name of the Company, and other Purposes.
- xc. An Act for supplying with Water the Town of *Stockton* in the County of *Durham*, and the Suburbs thereof, and the Towns of *Middlesbrough* and *Yarm* in the North Riding
of

- of the County of *York*, and the Suburbs thereof respectively; and for other Purposes.
- xc. An Act to continue "*The City of London Sewers Act, 1848,*" and to alter and amend the Provisions of the said Act.
- xcii. An Act for repealing and amending the Provisions of the Acts relating to the Navigation of the River *Cam* or *Cham*, alias *Grant*, between *Clayhithe Ferry* and the *King's Mill* in the Town of *Cambridge*; for altering the Navigation Tolls; for enabling the Conservators of the said River to sue and be sued in the Name of their Clerk; for conferring additional Powers; and other Purposes.
- xciii. An Act for transferring to the Mayor, Aldermen, and Burgesses of the Borough of *Birmingham* in the County of *Warwick* the Estates, Properties, and Effects now vested in certain Commissioners having Jurisdiction over Parts of the Borough; and to provide for the better draining, lighting, paving, supplying with Water, and otherwise improving the said Borough, and making Provision for the good Government, Regulation, and Management thereof.
- xciv. An Act for enabling the *South Staffordshire Railway Company* to make a certain Branch Railway, for authorizing Arrangements with the *London and North-western Railway Company*, and for other Purposes.
- xcv. An Act to enable the *Cork and Waterford Railway Company* to make Arrangements as to their Capital, and to provide for the immediate Completion of the *Tramore Branch*.
- xcvi. An Act for the Improvement of the Town of *Great Malvern* in the County of *Worcester*, and for supplying the same with Water.
- xcvii. An Act for better paving, lighting, draining, cleansing, and otherwise regulating and improving a Portion of the Borough of *Newark* in the County of *Nottingham*; for regulating the Butchers Market therein; and for authorizing the Commissioners of the *Newark Branch* of the River *Trent* Navigation to contribute out of their Funds a Sum of Money for the aforesaid Purposes.
- xcviii. An Act for the Consecration of a Portion of the *Brighton Extramural Cemetery*.
- xcix. An Act to enable the *Caledonian Railway Company* to provide for the Construction of certain Branch Railways in the County of *Lanark*.
- c. An Act for making a Railway from the Loop Line of the *Windsor, Staines, and South-western (Richmond to Windsor)* Railway in the Parish of *Ealing* in the County of *Middlesex* to the *London and North-western Railway* in the Parish

Parish of *Hammersmith* in the said County, with a Branch, to be called "The *North and South Western Junction Railway*."

- ci. An Act for amending the Acts relating to the *East Anglian Railways*.
- cii. An Act for making a Railway from the *Furness Railway* at *Ulverstone* to the *Lancaster and Carlisle Railway* at *Carnforth*, to be called "The *Ulverstone and Lancaster Railway*."
- ciii. An Act to amend "The *Killarney Junction Railway Act, 1846*."
- civ. An Act for the Improvement of the City and Borough of *Bath*; for the Regulation of the Markets; and for amending the Act for supplying *Bath* with Water.
- cv. An Act for facilitating the Settlement of the Affairs of the Governor and Company of Copper Miners in *England*, and for the better Management of the said Company.
- cvi. An Act for of new incorporating the *Edinburgh Lunatic Asylum* under its present Name of "The *Royal Edinburgh Asylum for the Insane*," for enabling the said Corporation to borrow Money, and for other Purposes.
- cvi. An Act to enable the *Dublin, Dundrum, and Rathfarnham Railway Company* to extend their Railway from *Dundrum* to *Bray*; and to extend the Time and to continue and revive the Powers granted by the Acts relating to the *Dublin, Dundrum, and Rathfarnham Railway Company* for the compulsory Purchase of Lands and Completion of Works; and to amend the Acts relating to "The *Dublin, Dundrum, and Rathfarnham Railway*;" and for other Purposes.
- cvi. An Act to authorize the Abandonment of a Portion of the *Waterford, Wexford, Wicklow, and Dublin Railway*, and the Construction of a new Line of Railway in lieu of a Portion of the Line to be abandoned; to extend, in respect of a Portion of the said Undertaking, the Periods at present limited for Compulsory Purchase of Lands and for Completion of Works; and to amend the Acts relating to the said Railway; and for other Purposes.
- cix. An Act for amending and enlarging the Powers of the several Acts relating to "The Company of Proprietors of the *Itchen Bridge and Roads*."
- cx. An Act to authorize a Deviation in the Line of the *Waterford and Limerick Railway*, and to amend the Acts relating thereto, and for other Purposes.
- cxi. An Act for supplying with Water the Parish or Township of *East Stonehouse* in the County of *Devon*, and for Amendment of Act.

cxii. An

- cxii. An Act for making a Railway from *Waterford* to *Tramore*.
- cxiii. An Act to extend the Time for the Purchase of certain Lands, and Completion of Works authorized by the "*Midland Railway, Ripley Branches, Act, 1848,*" and on the *Gloucester and Stonehouse Junction Railway*.
- cxiv. An Act to enable the *Great Northern Railway Company* to construct Works in connexion with the *Manchester, Sheffield, and Lincolnshire Railway*; and to facilitate the Use of that Railway by the Company; and for other Purposes.
- cxv. An Act for amending the Powers of the *Imperial Continental Gas Association*.
- cxvi. An Act for better paving, lighting, cleansing, regulating, and improving the Parish of *Saint Mary Abbots, Kensington*.
- cxvii. An Act for enabling the Commissioners at the Pier and Port of *Hartlepool* to construct an additional Pier for the Protection of the Harbours and Bay of *Hartlepool*, and to establish and maintain a Ferry across the Commissioners Harbour; for enabling the Commissioners to raise further Monies; for repealing, consolidating, and amending the Acts relating to the said Pier and Port; and for other Purposes.
- cxviii. An Act for incorporating the Magnetic Telegraph Company, and to enable the said Company to work certain Letters Patent.
- cxix. An Act for paving, lighting, cleansing, and otherwise improving the several Townships and Places in the Borough of *Manchester*, and amending and consolidating the Provisions of existing Local Acts relating thereto.
- cxx. An Act for enabling the Mayor and Commonalty and Citizens of the City of *London* to complete the Improvements authorized to be made by the *Clerkenwell Improvement Commissioners*, and for amending the Acts relating to such Improvements.
- cxxi. An Act to amend an Act passed in the Session of Parliament of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for making and maintaining and improving a Harbour at Wicklow in the County of Wicklow*.
- cxxii. An Act for constructing a Wet Dock and other Works in connexion with *Warkworth Harbour* in the County of *Northumberland*, and for limiting the Amount of Rates and Tolls by "*The Warkworth Harbour Act, 1847,*" authorized to be levied, and for varying the Application thereof.
- cxxiii. An Act to amend and enlarge some of the Provisions of the Acts relating to the *Thames Haven Dock and Railway*.

- cxxiv. An Act to amend the *Wexford Free Bridge Act, 1847.*
- cxxy. An Act for amending the Acts relating to the *Llynvi Valley and Duffryn Llynvi and Porth Carwl Railways*, and for forming a Junction between such Railways and the *South Wales Railway.*
- cxxyi. An Act to enable the *Manchester, Buxton, Matlock, and Midlands Junction Railway Company* to complete the Purchase of the *Cromford Canal.*
- cxxyii. An Act for extending the Period for the Completion of *Cameron's Coalbrook Steam Coal and Swansea and Loughor Railway*, and for amending the Act relating to such Railway.
- cxxyiii. An Act to extend the leasing Powers of the Corporate Body of the Provost, Fellows, and Scholars of the College of the Holy and Undivided *Trinity of Queen Elizabeth near Dublin*, and also of the Provost thereof in his Corporate Capacity, and to enable them to make Grants of Lands in perpetuity to their Lessees in certain Cases.
- cxxyix. An Act for making a Railway from the *London and North-western Railway* in the Township of *Salford*, across the River *Irwell*, into the Borough of *Manchester*, to be called the *Manchester and Salford Extension Railway.*
- cxxyx. An Act for better enabling the General Reversionary and Investment Company to sue and be sued, and to facilitate the holding and Transfer of the Property of the Company by and from the present and future Trustees thereof; and for other Purposes.
- cxxyxi. An Act to authorize the *Shrewsbury and Chester Railway Company* to abandon the *Crickheath and Wem Branches*, to construct a Station at *Birkenhead*, to enter into Arrangements with other Companies, and for other Purposes.
- cxxyxii. An Act for amending and extending the Provisions of the Act for the Improvement of the Town of *Saint Helen's* in the County Palatine of *Lancaster*, and for other Purposes.
- cxxyxiii. An Act for repairing the Road from *Sheffield* in the County of *York* to the *Marple Bridge Road* in the Parish of *Glossop* in the County of *Derby*, and the Branch to *Mortimer's Road* in the Parish of *Hathersage* in the said County of *Derby.*
- cxxyxiv. An Act to sanction certain Arrangements entered into between the *Caledonian Railway Company* and the Holders of guaranteed and preferential Interests in the Company, and to enable the Company to raise a further Sum of Money.
- cxxyxv. An Act for incorporating the *European and American Electric Printing Telegraph Company*, and to enable them to work certain Letters Patent.

cxxyxvi. An

- cxixvi. An Act for reclaiming from the Sea certain Lands abutting on the Coast of *Lincolnshire* within the Parts of *Holland*.
- cxixvii. An Act for enabling the United Kingdom Electric Telegraph Company to purchase and work certain Letters Patent.
- cxixviii. An Act for incorporating the Council of *King's College, London*, and the President, Vice-Presidents, Treasurer, and Governors of *King's College Hospital*, and for connecting the said Hospital as a Medical School with the said College, and for better enabling the Corporation to carry on their charitable and useful Designs.
- cxixxix. An Act to dissolve "The National Land Company," and to dispose of the Lands and Property belonging to the Company, and to wind up the Undertaking.
- cxl. An Act to extend the Limits of the *Brunswick Square (Hove)* Improvement Act, and for other Purposes.
- cxli. An Act to amend the several Acts relating to the *Waterford and Kilkenny* Railway Company; to enable the said Company to sell or lease their undertaking, and to purchase or lease the Bridge over the River *Suir* at *Waterford*; and for other Purposes.
- cxlii. An Act to enable the Trustees of the *South Holland* Drainage in the County of *Lincoln* to raise further Monies.
- cxliiii. An Act to amend "The Farmers Estate Society (*Ireland*) Act, 1848."
- cxliv. An Act to enable the *Charing Cross Bridge* Company to raise further Monies; to amend the Acts relating to the Company; and for other Purposes.
- cxlv. An Act for enabling the Class A Shareholders of the *Saint Andrew's and Quebec* Railroad Company to divide the Shares in the Undertaking into Two Classes, and for other Purposes.
- cxlvi. An Act to amend the Acts relating to the Vend and Delivery of Coals in *London* and *Westminster*, and in certain Parts of the adjacent Counties; and to allow a Drawback on Coals conveyed beyond certain Limits.
-

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN
EVIDENCE.

1. **A**N Act to authorize the Sale to the Honourable *Richard Cavendish* of Certain Freehold Hereditaments in the County of *Buckingham* devised by the Will of *Samuel Athawes* deceased, and for directing the Investment of the Purchase Money in other Hereditaments, to be settled upon the Trusts of the same Will.
2. An Act for confirming certain Leases granted by the Mayor and Commonalty and Citizens of the City of *London*, Governors of the Possessions, Revenues, and Goods of the Hospital of *Edward*, late King of *England*, the Sixth, called *Christ's Hospital*; and for enabling them to grant building and other Leases of their Estates; and for other Purposes.
3. An Act for confirming certain Leases granted by the Mayor and Commonalty and Citizens of the City of *London*, Governors of the House of the Poor commonly called *Saint Bartholomew's Hospital*, near *West Smithfield*, *London*, of the Foundation of King *Henry* the Eighth; and for enabling them to grant building and other Leases of their Estates.
4. An Act to authorize the Grant of new Leases of a certain Estate in the Bailiwick of *Neat* in the Parish of *Saint George Hanover Square* in the County of *Middlesex*, in lease to Mr. *Thomas Cubitt*; and for other Purposes.
5. An Act for enabling the Trustees of the *Somersetshire*, *Monmouthshire*, *Dorsetshire*, and *Devonshire* Estates devised by the Will of Sir *Thomas Buckler Lethbridge* Baronet, deceased, to grant Farming and Mining Leases of and otherwise extending their Powers in relation to the said Estates.
6. An Act for enabling the Trustees of the Will of *Thomas Jackson* deceased to sell Freehold Hereditaments situate in the Parish of *Mentmore* in the County of *Buckingham* to the Baron *Mayor Amschel de Rothschild*.
7. An Act to confirm a certain Contract for granting Leases made and entered into by the Honourable *Arthur Upton* of Part of the Lands and Hereditaments comprised in the Will

- Will of the Honourable *Fulk Greville Howard* deceased, situate at *Kilburn* in the County of *Middlesex*; and to alter and enlarge the Power of granting Building Leases contained in the same Will; and for other Purposes relating thereto.
8. An Act to authorize the Appropriation to charitable Purposes of the unclaimed Funds and Property under the Control of "The *Glasgow Provident Bank*," and the winding up of its Affairs.
 9. An Act for regulating and securing the Debt due by the Burgh of *Musselburgh* in the County of *Edinburgh*, and for other Purposes in relation thereto.
 10. An Act to authorize the granting of Building Leases of Part of the Estates devised by the Will of *William Moore* Esquire, deceased, situate in the Parish of *Fulham* in the County of *Middlesex*.
 11. An Act authorizing the Application of Part of the Trust Funds subject to the Trusts of the Will and Codicils of the late Sir *Timothy Shelley* to certain lasting Improvements upon Estates bought under the Trusts of such Will and Codicils.
 12. An Act to enable the Trustees of the Will of the Most Noble *Francis* late Duke of *Bridgewater* to make Conveyances in Fee or Demises for long Terms of Years of his Trust Estates, and more effectually to administer the Trusts of the Will of the said Duke.
 13. An Act for extending Powers created by the Will of *John Watson Barton* deceased, and for enabling Sales and Leases to be made of Lands subject to his Will; and for other Purposes.
 14. An Act to empower the Dean and Chapter of *Westminster* to build on Ground contiguous to *Westminster Abbey*, and for other Purposes.
 15. An Act to give effect to certain Restrictions and Conditions relating to a Church and Parsonage House proposed to be erected on Sites to be given by the Most Noble *Francis* Duke of *Bedford*, Knight of the Most Noble Order of the Garter, and to Two Dwelling Houses proposed to be purchased and conveyed for Vicarage and Rectory Houses on the Estate of the said Duke, in the County of *Middlesex*.
 16. An Act to enable the Committees of the Estate of *John Brown*, a Lunatic, to sell a Portion of the Estates whereof the said Lunatic is Tenant in Tail in Possession.
 17. An Act for explaining and modifying the Provisions of the Deed of Constitution of *Dorward's* House of Refuge for the Destitute in *Montrose*, and of the Trust Disposition and Settlement of *William Dorward* Merchant in *Montrose*, and Codicils

- Codicils thereto, and for incorporating and enlarging and defining the Powers of the Managers of the said House of Refuge, and for other Purposes relating thereto.
18. An Act to enable the Dean and Chapter of the Cathedral Church of *Christ* in *Oxford*, of the Foundation of King *Henry* the Eighth, and their Trustees, as Owners in Fee of Lands in *Kentish Town*, in the County of *Middlesex*, to grant Building Leases, and for other Purposes.
 19. An Act for enabling the Committee or Committees for the Time being of the Estate of *Stapylton Stapylton* Esquire, a Lunatic, Tenant in Tail Mail under the Will of the Reverend Sir *Martin Stapylton* Baronet, deceased, to grant Leases for Mining and other Purposes of certain Parts of the entailed Estates situate at *Eston* in the County of *York*.
 20. An Act for the Regulation and Improvement of the Charities founded by *Richard* Lord *Riche* in the Parish of *Felstead* in the County of *Essex*, and for other Purposes.
 21. An Act for authorizing the Sale of the *Kelmarsh* Estate in the County of *Northampton*, devised by the Will of *William* Lord *Bateman* deceased, and the Discharge of the Incumbrances affecting that Estate; and for other Purposes.
 22. An Act to provide for the future Regulation and Management of the Grammar School of *Anthony Browne*, Serjeant-at-Law, at *Brentwood* in the County of *Essex*, and of the Almshouses founded by the said *Anthony Browne*, and of the Estates and Possessions of the same School and Almshouses; and for other Purposes.
 23. An Act to authorize the Sale or Exchange of Part of the Estate of the Free School at *Ripley* in the County of *York*, and for other Purposes relating to the said Charity.

PRIVATE ACTS,

NOT PRINTED.

24. An Act to dissolve the Marriage of *Edmund Heathcote* Esquire with *Elizabeth Lucy Heathcote* his now Wife, and to enable him to marry again; and for other Purposes.
25. An Act to dissolve the Marriage of *Henry Boddington Webster* Esquire with *Emilie Marie Louise Wilhelmina Webster* his now Wife, and to enable him to marry again; and for other Purposes.
26. An Act to dissolve the Marriage of *William Houlbrooke Tayleur* Esquire with *Emma Elizabeth Tayleur* his now Wife, and to enable him to marry again; and for other Purposes.

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A
COLLECTION
OF THE
PUBLIC GENERAL STATUTES
AFFECTING SCOTLAND,

PASSED IN THE
FIFTEENTH AND SIXTEENTH YEAR

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the FIFTH SESSION of the FIFTEENTH PARLIAMENT
of the United Kingdom of *Great Britain and Ireland.*

WITH

GENERAL INDEX,

AND TABLES OF ALL THE GENERAL, LOCAL, AND PRIVATE ACTS
PASSED IN THE ABOVE SESSION.



Printed by Authority of
Her Majesty's sole and only Master Printers for Scotland,
BY WILLIAM BLACKWOOD AND SONS,
EDINBURGH.

1852.

LICENCE.

IN terms of Her Majesty's Letters Patent to Her Printers for Scotland, and of the Instructions issued by Her Majesty in Council, dated Eleventh July Eighteen Hundred and Thirty-nine, I hereby Licence and Authorize WILLIAM BLACKWOOD AND SONS, Printers in Edinburgh, to Print and Publish, as by the Authority of Her Majesty, Acts of Parliament, Edicts, Proclamations, or other Papers printed by Royal Authority, as proposed in their Declaration, dated Twenty-sixth February Eighteen Hundred and Forty-eight; the terms and conditions of the said Instructions in this matter being always and in all points fully complied with and observed by the said WILLIAM BLACKWOOD AND SONS.

AND. RUTHERFURD.

LONDON, 31st March 1848.

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THE
PUBLIC GENERAL STATUTES

[AFFECTING SCOTLAND.]

ANNO DECIMO QUINTO
VICTORIÆ REGINÆ.

CAP. I.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and fifty-two.—[30th March 1852.]

CAP. II.

An Act to authorize the Inclosure of certain Lands, in pursuance of the Seventh Annual and also of a Special Report of the Inclosure Commissioners for England and Wales.—[20th April 1852.]

CAP. III.

CAP. III.

An Act to provide for the Administration of Personal Estates of Intestates and others to which Her Majesty may be entitled in right of Her Prerogative or in right of Her Duchy of Lancaster.—[20th April 1852.]

CAP. IV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.—[20th April 1852.]

CAP. V.

An Act further to explain and amend the Acts for the Regulation of Municipal Corporations in England and Wales, and in Ireland.—[20th April 1852.]

CAP. VI.

An Act for extending the Term of the provisional Registration of Inventions under "The Protection of Inventions Act, 1851."—[20th April 1852.]

CAP. VII.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.—[20th April 1852.]

CAP. VIII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore.—[20th April 1852.]

CAP. IX.

CAP. IX.

An Act to disfranchise the Borough of Saint Alban.—
[3d May 1852.]

CAP. X.

An Act for raising the Sum of Seventeen millions seven hundred and forty-two thousand eight hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-two.—[3d May 1852.]

CAP. XI.

An Act to continue an Act of the Twelfth Year of Her present Majesty, to prevent the Spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.—[3d May 1852.] (England.)

CAP. XII.

An Act to enable Her Majesty to carry into effect a Convention with France on the subject of Copyright; to extend and explain the International Copyright Acts; and to explain the Acts relating to Copyright in Engravings.—[28th May 1852.]

WHEREAS an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Law relating to International Copyright*, hereinafter called "The International Copyright Act:" And whereas a Convention has lately been concluded between Her Majesty and the *French Republic*, for extending in each Country the Enjoyment of Copyright in Works of Literature and the Fine Arts first published in the other, and for certain Reductions of Duties now levied on Books, Prints, and Musical Works published in *France*: And whereas certain of the Stipulations on the Part of Her Majesty contained in the said

7 & 8 Vict.
c. 12.

said Treaty require the Authority of Parliament : And whereas it is expedient that such Authority should be given, and that Her Majesty should be enabled to make similar Stipulations in any Treaty on the Subject of Copyright which may hereafter be concluded with any Foreign Power: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Translations.

Partial
Repeal of
7 & 8 Vict.
c. 12. § 18.

Her Majesty may
by Order
in Council
direct that
the Authors of
Books published
in Foreign
Countries may
for a limited
Time prevent
unauthorized
Translations.

Thereupon
the Law of
Copyright
shall extend
to prevent
such
Translations.

Her Majesty may
by Order
in Council
direct that
the Authors of
Dramatic
Works re-

I. The Eighteenth Section of the said Act of the Seventh Year of Her present Majesty, Chapter Twelve, shall be repealed, so far as the same is inconsistent with the Provisions herein-after contained.

II. Her Majesty may, by Order in Council, direct that the Authors of Books which are, after a future Time, to be specified in such Order, published in any Foreign Country, to be named in such Order, their Executors, Administrators, and Assigns, shall, subject to the Provisions herein-after contained or referred to, be empowered to prevent the Publication in the *British* Dominions of any Translations of such Books not authorized by them, for such Time as may be specified in such Order, not extending beyond the Expiration of Five Years from the Time at which the authorized Translations of such Books herein-after mentioned are respectively first published, and in the Case of Books published in Parts, not extending as to each Part beyond the Expiration of Five Years from the Time at which the authorized Translation of such Part is first published.

III. Subject to any Provisions or Qualifications contained in such Order, and to the Provisions herein contained or referred to, the Laws and Enactments for the Time being in force for the Purpose of preventing the Infringement of Copyright in Books published in the *British* Dominions shall be applied for the Purpose of preventing the Publication of Translations of the Books to which such Order extends which are not sanctioned by the Authors of such Books, except only such Parts of the said Enactments as relate to the Delivery of Copies of Books for the Use of the *British Museum*, and for the Use of the other Libraries therein referred to.

IV. Her Majesty may, by Order in Council, direct that Authors of Dramatic Pieces which are, after a future Time, to be specified in such Order, first publicly represented in any Foreign Country, to be named in such Order, their Executors, Administrators, and Assigns, shall, subject to the Provisions herein-after mentioned or referred to, be empowered to prevent the Representation in the *British* Dominions of any Translation of such

Dramatic

Dramatic Pieces not authorized by them, for such Time as may be specified in such Order, not extending beyond the Expiration of Five Years from the Time at which the authorized Translations of such Dramatic Pieces herein-after mentioned are first published or publicly represented.

V. Subject to any Provisions or Qualifications contained in such last-mentioned Order, and to the Provisions herein-after contained or referred to, the Laws and Enactments for the Time being in force for ensuring to the Author of any Dramatic Piece first publicly represented in the *British* Dominions the sole Liberty of representing the same shall be applied for the Purpose of preventing the Representation of any Translations of the Dramatic Pieces to which such last-mentioned Order extends, which are not sanctioned by the Authors thereof.

VI. Nothing herein contained shall be so construed as to prevent fair Imitations or Adaptations to the *English* Stage of any Dramatic Piece or Musical Composition published in any Foreign Country.

VII. Notwithstanding anything in the said International Copyright Act or in this Act contained, any Article of political Discussion which has been published in any Newspaper or Periodical in a Foreign Country may, if the Source from which the same is taken be acknowledged, be republished or translated in any Newspaper or Periodical in this Country; and any Article relating to any other Subject which has been so published as aforesaid may, if the Source from which the same is taken be acknowledged, be republished or translated in like Manner, unless the Author has signified his Intention of preserving the Copyright therein, and the Right of translating the same, in some conspicuous Part of the Newspaper or Periodical in which the same was first published, in which Case the same shall, without the Formalities required by the next following Section, receive the same Protection as is by virtue of the International Copyright Act or this Act extended to Books.

VIII. No Author, or his Executors, Administrators, or Assigns, shall be entitled to the Benefit of this Act, or of any Order in Council issued in pursuance thereof, in respect of the Translation of any Book or Dramatic Piece, if the following Requisitions are not complied with; (that is to say,)

1. The original Work from which the Translation is to be made must be registered and a Copy thereof deposited in the United Kingdom in the Manner required for original Works by the said International Copyright Act, within Three Calendar Months of its First Publication in the Foreign Country :

Translations.

presented in Foreign Countries may for a limited Time prevent unauthorized Translations.

Thereupon the Law for protecting the Representation of such Pieces shall extend to prevent unauthorized Translations.

Adaptations, &c. of Dramatic Pieces to the *English* Stage not prevented.

All Articles in Newspapers, &c. relating to Politics may be republished or translated; and also all similar Articles on any Subject unless the Author has notified his Intention to reserve the Right.

No Author to be entitled to Benefit of

2. The

this Act
without
complying
with the
Requisi-
tions herein
specified.

2. The Author must notify on the Title Page of the original Work, or if it is published in Parts, on the Title Page of the First Part, or if there is no Title Page, on some conspicuous Part of the Work, that it is his Intention to reserve the Right of translating it :
3. The Translation sanctioned by the Author, or a Part thereof, must be published either in the Country mentioned in the Order in Council by virtue of which it is to be protected or in the *British* Dominions, not later than One Year after the Registration and Deposit in the United Kingdom of the original Work, and the whole of such Translation must be published within Three Years of such Registration and Deposit :
4. Such Translation must be registered and a Copy thereof deposited in the United Kingdom within a Time to be mentioned in that Behalf in the Order by which it is protected, and in the Manner provided by the said International Copyright Act for the Registration and Deposit of original Works :
5. In the Case of Books published in Parts, each Part of the original Work must be registered and deposited in this Country in the Manner required by the said International Copyright within Three Months after the First Publication thereof in the Foreign Country :
6. In the Case of Dramatic Pieces the Translation sanctioned by the Author must be published within Three Calendar Months of the Registration of the original Work :
7. The above Requisitions shall apply to Articles originally published in Newspapers or Periodicals if the same be afterwards published in a separate Form, but shall not apply to such Articles as originally published.

Pirated
Copies pro-
hibited to
be import-
ed, except
with Con-
sent of
Proprietor;

IX. All Copies of any Works of Literature or Art wherein there is any subsisting Copyright by virtue of the International Copyright Act and this Act, or of any Order in Council made in pursuance of such Acts or either of them, and which are printed, reprinted, or made in any Foreign Country except that in which such Work shall be first published, and all unauthorized Translations of any Book or Dramatic Piece the Publication or public Representation in the *British* Dominions of Translations whereof not authorized as in this Act mentioned shall for the Time being be prevented under any Order in Council made in pursuance of this Act, are hereby absolutely prohibited to be imported into any Part of the *British* Dominions, except by or with the Consent of the registered Proprietor of the Copyright of such Work or of such Book or Piece,

Piece, or his Agent authorized in Writing; and the Provision of the Act of the Sixth Year of Her Majesty "to amend the "Law of Copyright," for the Forfeiture, Seizure, and Destruction of any printed Book first published in the United Kingdom wherein there shall be Copyright, and reprinted in any Country out of the *British* Dominions, and imported into any Part of the *British* Dominions by any Person not being the Proprietor of the Copyright, or a Person authorized by such Proprietor, shall extend and be applicable to all Copies of any Works of Literature and Art, and to all Translations the Importation whereof into any Part of the *British* Dominions is prohibited under this Act.

Provisions of 5 & 6 Vict. c. 45. as to Forfeiture, &c. of pirated Works, &c. to extend to Works prohibited to be imported under this Act.

X. The Provisions herein-before contained shall be incorporated with the International Copyright Act, and shall be read and construed therewith as One Act.

Foregoing Provisions and 7 & 8 Vict. c. 12. to be read as One Act.

XI. And whereas Her Majesty has already, by Order in Council under the said International Copyright Act, given effect to certain Stipulations contained in the said Convention with the *French* Republic; and it is expedient that the Remainder of the Stipulations on the Part of Her Majesty in the said Convention contained should take effect from the passing of this Act without any further Order in Council: During the Continuance of the said Convention, and so long as the Order in Council already made under the said International Copyright Act remains in force, the Provisions herein-before contained shall apply to the said Convention, and to Translations of Books and Dramatic Pieces which are, after the passing of this Act, published or represented in *France*, in the same Manner as if Her Majesty had issued Her Order in Council in pursuance of this Act for giving effect to such Convention, and had therein directed that such Translations should be protected as herein-before mentioned for a Period of Five Years from the Date of the First Publication or public Representation thereof respectively, and as if a Period of Three Months from the Publication of such Translation were the Time mentioned in such Order as the Time within which the same must be registered and a Copy thereof deposited in the United Kingdom.

French Translations to be protected as herein-before mentioned, without further Order in Council.

XII. And whereas an Act was passed in the Tenth Year of Her present Majesty, intituled *An Act to amend an Act of the Seventh and Eighth Years of Her present Majesty, for reducing, under certain Circumstances, the Duties payable upon Books and Engravings*: And whereas by the said Convention with the *French* Republic it was stipulated that the Duties on Books, Prints, and Drawings published in the Territories of the *French* Republic should be reduced to the Amounts specified

Reduction of Duties.

Recital of 9 & 10 Vict. c. 58.

in

Rates of
Duty not
to be raised
during
Continu-
ance of
Treaty,
and if fur-
ther Re-
duction is
made for
other
Countries
it may be
extended.
to France.

in the Schedule to the said Act of the Tenth Year of Her present Majesty, Chapter Fifty-eight: And whereas Her Majesty has, in pursuance of the said Convention, and in exercise of the Powers given by the said Act, by Order in Council declared that such Duties shall be reduced accordingly: And whereas by the said Convention it was further stipulated that the said Rates of Duty should not be raised during the Continuance of the said Convention; and that if during the Continuance of the said Convention any Reduction of those Rates should be made in favour of Books, Prints, or Drawings published in any other Country, such Reduction should be at the same Time extended to similar articles published in *France*: And whereas Doubts are entertained whether such last-mentioned Stipulations can be carried into effect without the Authority of Parliament: Be it enacted, That the said Rates of Duty so reduced as aforesaid shall not be raised during the Continuance of the said Convention; and that if during the Continuance of the said Convention any further Reduction of such Rates is made in favour of Books, Prints, or Drawings published in any other Foreign Country, Her Majesty may, by Order in Council, declare that such Reduction shall be extended to similar Articles published in *France*, such Order to be made and published in the same Manner and to be subject to the same Provisions as Orders made in pursuance of the said Act of the Tenth Year of Her present Majesty, Chapter Fifty-eight.

XIII. And whereas Doubts have arisen as to the Construction of the Schedule of the Act of the Tenth Year of Her present Majesty, Chapter Fifty-eight:

For Re-
moval of
Doubts as
to Con-
struction of
Schedule
to 9 & 10
Vict. c. 58.

It is hereby declared, That for the Purposes of the said Act every Work published in the Country of Export, of which Part has been originally produced in the United Kingdom, shall be deemed to be and be subject to the Duty payable on "Works originally produced in the United Kingdom, and re-published in the Country of Export," although it contains also original Matter not produced in the United Kingdom, unless it shall be proved to the Satisfaction of the Commissioners of Her Majesty's Customs by the Importer, Consignee, or other Person entering the same that such original Matter is at least equal to the Part of the Work produced in the United Kingdom, in which Case the Work shall be subject only to the Duty on "Works not originally produced in the United Kingdom."

XIV. And whereas by the Four several Acts of Parliament following; (that is to say,) an Act of the Eighth Year of the Reign of King *George* the Second, Chapter Thirteen; an Act

of

Litho-
graphs, &c.
Recital of

of the Seventh Year of the Reign of King *George* the Third, Chapter Thirty-eight; an Act of the Seventeenth Year of the Reign of King *George* the Third, Chapter Fifty-seven; and an Act of the Seventh Year of King *William* the Fourth, Chapter Fifty-nine, Provision is made for securing to every Person who invents, or designs, engraves, etches, or works in Mezzotinto, or Chiaro-oscuro, or, from his own Work, Design, or Invention, causes or procures to be designed, engraved, etched, or worked in Mezzotinto or Chiaro-oscuro, any Historical Print or Prints, or any Print or Prints of any Portrait, Conversation, Landscape, or Architecture, Map, Chart, or Plan, or any other Print or Prints whatsoever, and to every Person who engraves, etches, or works in Mezzotinto or Chiaro-oscuro, or causes to be engraved, etched, or worked any Print taken from any Picture, Drawing, Model, or Sculpture, notwithstanding such Print has not been graven or drawn from his own original Design, certain Copyrights therein defined: And whereas Doubts are entertained whether the Provisions of the said Acts extend to Lithographs and certain other Impressions, and it is expedient to remove such Doubts:

It is hereby declared, That the Provisions of the said Acts are intended to include Prints taken by Lithography, or any other mechanical Process by which Prints or Impressions of Drawings or Designs are capable of being multiplied indefinitely, and the said Acts shall be construed accordingly.

For Removal of Doubts as to the Provisions of the said Acts including Lithographs, Prints, &c.

CAP. XIII.

An Act to amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in Ireland.—
[28th May 1852.]

CAP. XIV.

An Act to continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund.—[28th May 1852.]

CAP. XV.

CAP. XV.

An Act to continue an Act to amend the Laws relating to Loan Societies.—[28th May 1852.] (England.)

CAP. XVI.

An Act to amend the Acts relating to the Repayment of Advances made to Districts in Ireland.—[28th May 1852.]

CAP. XVII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.—[28th May 1852.]

CAP. XVIII.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.—[28th May 1852.] (England.)

CAP. XIX.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads.—[28th May 1852.] (England.)

CAP. XX.

CAP. XX.

An Act to continue the Duties on Profits arising from Property, Professions, Trades, and Offices.—[28th May 1852.]

Most Gracious Sovereign,

WHEREAS by an Act passed in the Fifth and Sixth Years of Your Majesty's Reign, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices until the Sixth Day of April One thousand eight hundred and forty-five*, certain Rates and Duties arising from Property, Professions, Trades, and Offices were granted to your Majesty for a Term therein limited and now expired; and by Three several Acts passed respectively in the Eighth, Eleventh, and Fourteenth Years of Your Majesty's Reign the same Rates and Duties were continued for Three several and successive Terms, the latter of such Terms expiring with the Fifth Day of April One thousand eight hundred and fifty-two: We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain and Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses, have freely and voluntarily resolved to continue the said Rates and Duties, and to grant the same to Your Majesty for the Period herein-after limited; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

I. The several Rates and Duties by the said first-recited Act granted shall be and the same are hereby continued, and shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, from and after the Fifth Day of April One thousand eight hundred and fifty-two, for the Term of One Year thence next ensuing, and until the Assessments made or which ought to be made for the said last-mentioned Term, or for any preceding Year, shall be completed, collected, levied, and paid.

5 & 6 Vict.
c. 35.

8 & 9 Vict.
c. 4.

11 & 12
Vict. c. 8.
14 & 15
Vict. c. 12.

Rates and
Duties
granted by
first-recit-
ed Act
further
continued
for One
Year.

II. The

First-recited Act and the several other Acts continued in force.

II. The said first-recited Act, and all and every other Act and Acts in force upon or immediately before the Fifth Day of *April* One thousand eight hundred and fifty-two, in relation to the Duties granted by the said first-recited Act, shall severally be continued and remain in full Force and Effect in relation to the Duties hereby continued and granted as aforesaid; and all and every the Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Acts or any of them, and in force as aforesaid, shall (so far as the same shall be consistent with and shall not be superseded by the express Provisions of this Act) severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties hereby continued and granted, as well during the Term herein limited as after the Expiration thereof respectively, for assessing, levying, recovering, paying, deducting, and accounting for the said Duties and all Arrears thereof, and for re-assessing the same in default of Payment, and for granting any Abatement or Relief from Over-payment thereof, and also the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred in relation to the said Duties, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby continued and granted as aforesaid.

5 & 6 Vict.
c. 35. s. 87.

III. And whereas under and by virtue of the said several recited Acts, the Assessments made for the First Year of the respective Terms of Three Years in the said Acts mentioned of the Duties chargeable under the respective Schedules (A.) and (B.) of the said first-recited Act, were continued in force for the Space of Three Years, under and subject to certain Rules, Regulations, and Conditions in that Behalf specified in the said Acts:

Assessments under Schedules (A.) and (B.) for the Year ending 5th April 1852 to be in force for the succeeding Year.

The Assessments of the same Duties made for the Year expiring on the Fifth Day of *April* One thousand eight hundred and fifty-two shall in like Manner be and remain in force as, and be deemed and taken to be, the Assessments for the Year commencing from and after the said last-mentioned Day, and shall be collected and levied accordingly; nevertheless under and subject to the same Rules, Regulations, and Conditions as are specified in the said Acts respectively with regard to the Assessments made under the same Schedules for the respective Terms of Three Years as before recited.

CAP. XXI.

An Act to continue the Stamp Duties granted by an Act of the Fifth and Sixth Years of Her present Majesty, to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same.—[17th June 1852.]

CAP. XXII.

An Act to continue certain Acts for regulating Turnpike Roads in Ireland.—[17th June 1852.]

CAP. XXIII.

An Act to shorten the Time required for assembling Parliament after a Dissolution thereof.—[17th June 1852.]

WHEREAS the Time required by Law to intervene between the Date of the Proclamation for assembling Parliament and the Day appointed for the Meeting thereof may be reasonably shortened: Be it declared and enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That so often as Her Majesty shall, by Her Royal Proclamation, appoint a Time for the First Meeting of the Parliament of the United Kingdom of *Great Britain and Ireland* after a Dissolution thereof, the Time so to be appointed may be any Time not less than Thirty-five Days after the Date of such Proclamation, the Act of the Fifth Year of *Queen Anne*, Chapter Eighth, or the Act of the Seventh and Eighth Years of *William the Third*, Chapter Twenty-five, or any other Law or Usage, to the contrary notwithstanding.

Parliament may be appointed to meet 35 Days after the Date of the Proclamation.

CAP. XXIV.

CAP. XXIV.

An Act for the Amendment of an Act passed in the First Year of the Reign of Her Majesty Queen Victoria, intituled, An Act for the Amendment of the Laws with respect to Wills.—[17th June 1852.]
(England and Ireland.)

CAP. XXV.

An Act to amend an Act for registering Births, Deaths, and Marriages in England.—[17th June 1852.]

CAP. XXVI.

An Act to enable Her Majesty to carry into effect Arrangements made with Foreign Powers for the Apprehension of Seamen who desert from their Ships.
—[17th June 1852.]

CAP. XXVII.

An Act to amend the Law of Evidence in Scotland.—
[17th June 1852.]

WHEREAS it is expedient to alter and amend the Law of Evidence in *Scotland*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; *viz*.

I. No Person adduced as a Witness in *Scotland* before any Court or before any Person having by Law or by Consent of Parties Authority to take Evidence, shall be excluded from giving Evidence, by reason of having been convicted of or having suffered Punishment for Crime, or by reason of Interest, or by reason of Agency or of partial Council, or by reason of having appeared without Citation or by reason of having been precognosced subsequently to the Date of Citation; but every Person so adduced, who is not otherwise by Law disqualified from giving Evidence, shall be admissible as a Witness, and shall be admitted to give Evidence as aforesaid, notwithstanding of any Objections offered on the above-mentioned Grounds: Provided always, that nothing herein contained shall affect the Right of any Party in the Action or Proceeding in which such Witness shall be adduced to examine him on any Point tending to affect his Credibility: Provided also, that it shall not be competent to adduce as a Witness in any Action or Proceeding any Person who shall at the Time when he is so adduced as a Witness be acting as Agent in the Action or Proceeding in which he is so adduced, excepting in so far as the same may be competent by the existing Law and Practice of *Scotland*; and where any Person who is or has been an Agent shall be adduced and examined as a Witness for his Client, touching any Matter or Thing, to prove which he could not competently have been adduced and examined according to the existing Law and Practice of *Scotland*, it shall not be competent to the Party adducing such Witness to object, on the Ground of Confidentiality, to any Question proposed to be put to such Witness on Matter pertinent to the Issue.

Witnesses not to be excluded by reason of Crime, &c.

Right to examine Witnesses as to Credibility not affected.

Not competent to adduce as a Witness any Person who shall be acting as an Agent in the Action.

Where any Person adduced has been an Agent no Plea of Confidentiality allowable.

Party to an Action may be adduced as a Witness, unless it be shown that he has a substantial Interest.

Witness may be examined as to having made a different Statement.

II. It shall be competent to adduce and to examine as a Witness as aforesaid in any Action or Proceeding any Party to such Action or Proceeding, even although individually named in the Record or Proceeding, unless it shall be shown to the satisfaction of the Court, or of the Person having Authority to take Evidence as aforesaid, that such Party has a substantial Interest in such Action or Proceeding, and is not merely nominally a Party thereto.

III. It shall be competent to examine any Witness who may be adduced in any Action or Proceeding as to whether he has on any specified Occasion made a Statement on any Matter pertinent to the Issue different from the Evidence given by him in such Action or Proceeding; and it shall be competent in the course of such Action or Proceeding to adduce Evidence to prove that such Witness has made such different Statement on the Occasion specified.

IV. It

Witness
may be
recalled,
after Ex-
amination.

IV. It shall be competent to the presiding Judge or other Person before whom any Trial or Proof shall proceed, on the Motion of either Party, to permit any Witness who shall have been examined in the course of such Trial or Proof to be recalled.

Laws and
Practice
inconsis-
tent with
this Act
repealed.

V. All Statutes, Laws, and Practice now in force respecting Evidence in *Scotland* shall be and the same are hereby repealed, in so far as inconsistent or at variance with the Provisions of this Act, but the same shall in all other respects remain in full force.

CAP. XXVIII.

An Act to amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for the direction of Public Works and Buildings; and to vest the Buildings appropriated for the Accommodation of the Supreme Courts of Justice in Edinburgh in the Commissioners of Her Majesty's Works and Public Buildings.—[17th June 1852.]

CAP. XXIX.

An Act to empower the Commissioners of Her Majesty's Works and Public Buildings to inclose and lay out Kennington Common, in the County of Surrey, as Pleasure Grounds for the Recreation of the Public.—[17th June 1852.]

CAP. XXX.

An Act to empower the Commissioners of Her Majesty's Customs to acquire certain Lands and Houses in the Borough

Borough of Belfast, for the Purpose of erecting a Custom House and other Offices and Buildings required for the Public Service in the said Borough.—[17th June 1852.]

CAP. XXXI.

An Act to legalize the Formation of Industrial and Provident Societies.—[30th June 1852.]

WHEREAS by an Act passed in the Thirteenth Year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to Friendly Societies*, it was enacted, that a Society might be established under the Provisions of the said Act for any of the Objects therein mentioned; that was to say, (amongst other Objects,) “for the Relief, Maintenance, and Endowment of the Members, their Husbands, Wives, Children, and Kindred;” “and for the frugal Investment of the Savings of the Members, for better enabling them to purchase Food, Firing, Clothes, or other Necessaries, or the Tools or Implements of their Trade or Calling, or to provide for the Education of their Children or Kindred, provided (amongst other things) that the Shares in any such Investment should not be transferable:” And whereas various Associations of Working Men have been formed for the mutual Relief, Maintenance, Education, and Endowment of the Members, their Husbands, Wives, Children, or Kindred, and for procuring to them Food, Lodging, Clothing, and other Necessaries, by exercising or carrying on in common their respective Trades or Handicrafts; and it is expedient to extend the Provisions of the said recited Act to such Associations, and otherwise to regulate the same: Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for any Number of Persons to establish a Society under the Provisions of this and the said recited Act, for the Purpose of raising by voluntary Subscriptions of the Members thereof a Fund for attaining any Purpose or Object

13 and 14
Vict. c.
115.

Societies of
Working
Men may
be estab-
lished for

Object

attaining
the Ob-
jects of
Friendly
Societies
Acts by
means of
joint
Trade.

Rules of
the So-
ciety.

Object for the Time being authorized by the Laws in force with respect to Friendly Societies, or by this Act, by carrying on or exercising in common any Labour, Trade, or Handicraft, or several Labours, Trades, or Handicrafts, except the working of Mines, Minerals, or Quarries beyond the Limits of the United Kingdom of *Great Britain and Ireland*, and also except the Business of Banking, whether in the said United Kingdom or elsewhere; and this Act shall apply to all Societies already established for any of the Purposes herein mentioned, so soon as they shall conform to the Provisions hereof.

II. The Rules of any such Society shall provide,

- 1st, For allowing Payments to be made from Time to Time to all Members of the Society in respect of any Work or Service which they may do or perform for or on behalf of the same :
- 2d, Upon what Terms and Conditions (if any) Persons not Members of the Society shall be employed for or on behalf of the same ; yet so that any Person not a Member of the Society who shall be employed for or on behalf of the same shall receive in respect of any Work or Service done or performed by him on behalf of such Society, whether by way of Wages or otherwise, at least the same Amount or Value as if he were a Member of the Society :
- 3d, Whether or not any Loans shall be contracted with Persons (whether Members of the Society or not) for the better effecting the Purposes thereof, and how such Loans and Interest thereon (if any) shall be secured ; yet so that the Interest on any such Loan shall not exceed the Rate of Six Pounds *per Centum per Annum*, and so that the total Amount of Monies to be owing on Loan by the Society at any One Time shall not exceed Four times the Amount of paid-up Subscriptions for the Time being ; and a Declaration under the Hands of the Trustees or Trustee of the Society, certified by the Registrar of Friendly Societies, shall be sufficient Evidence in that Behalf of the Amount of paid-up Subscriptions :
- 4th, For the Receipt of Subscriptions from Persons, Members of the Society, and for the Payment of Dividends on such Subscriptions at any Rate not exceeding Five Pounds *per Centum per Annum* ; but so that no Dividend shall be paid to any Member of the Society out of the Capital of the same :
- 5th, For the Appropriation from Time to Time of the net Proceeds

Proceeds of any Trade, Labour, or Handicraft exercised or carried on by the Society, after such Payments as herein-before mentioned, in the first place, to the Repayment of any Loans made to the Society, or any Instalment thereof, and, subject thereto, to all or any of the following Purposes; *viz.* to the Increase of the Capital or Business of the Society; to such provident Purposes, or any of them, as shall be from Time to Time authorized by the Laws in force with respect to Friendly Societies; to a Division or Return to or amongst the Members of the Society of the Profits on or in respect of any Purchases made by them respectively of Goods or Articles made, produced, or sold by the Society; to the Payment to or amongst the Members of the Society, or other such Persons as herein mentioned, in respect of any Works or Services done or performed by them respectively for or on behalf of the Society, of any Part not exceeding One Third of such net Proceeds:

- 6th, For the Appointment of such Managers or other Officers, whether Members of the Society or not, at such Salaries, or for such Compensations, and with such Powers and Authorities, Duties and Responsibilities, and subject to such Conditions, as to Removal or otherwise, as shall appear requisite from Time to Time for the better carrying out of the Objects of the Society:
- 7th, For the making or confirming of all such Contracts as shall be necessary or expedient for the Purposes of the Society, which Contracts, when executed or entered into in accordance with the Rules of the Society, shall be binding on all Members of the same; and for the Enforcement of the Liability of Members in respect of such Contracts:
- 8th, For the due Payment by the Members, their Executors or Administrators, of all Subscriptions, Debts, Fines, or other Sums of Money which they may owe to the Society, from Time to Time, in accordance with the Rules thereof:
- 9th, For enabling Members to withdraw from the Society, on Notice given, for a Period to be fixed by the Rules; and for determining whether and to what Extent Members shall be compelled to discharge their Obligations to the Society before withdrawing from the same, and for otherwise regulating Withdrawals:
- 10th, For

- 10th, For regulating the Claims (if any) of the Executors or Administrators of deceased Members of the Society upon the Funds of the same, in respect of the Interest of their respective Testators or Intestates in the same :
- 11th, For keeping Account of all the Transactions of the Society, for the balancing and auditing of such Accounts twice at least in every Year, and for the Inspection of the Accounts by the Members :
- 12th, for referring to Arbitration all Disputes which may arise between any Member of the Society and the Trustees, Treasurer, Manager, Committee, or Officers of the same, or any of them :
- 13th, For determining under what Conditions of pecuniary Loss or otherwise, and by what Meetings and how composed, and by what special or other Majorities of the Members or other Persons present at such Meetings, the Society shall be dissolved ; and whether, and in what Cases, and by what Means, a single Member may summon a Meeting for the Dissolution of the Society ; and for winding up the Affairs of the Society on the Dissolution thereof.

Interest of
Members
not trans-
ferable.

III. The Interest of any Member in any such Society shall not be transferable, but the whole Amount of the Balance due to any Member shall be paid to him on Withdrawal from the same according to the Rules of the Society.

As to
Members
becoming
bankrupt
or insol-
vent.

IV. If any Member in any such Society shall become bankrupt, or shall take the Benefit of any Act for the Relief of Insolvent Debtors, such Member shall be taken to have withdrawn from the Society on the Day of the Date of the filing of the Petition for Adjudication of Bankruptcy, or (in the Case of any Insolvent Debtor) of the Declaration of Insolvency, or the Petition for Discharge or for a Vesting Order respectively as the Case may be ; and the Assignees of any such Bankrupt or Insolvent shall have such Claim upon the Society, and no other, as the Bankrupt or Insolvent would have had if he had actually withdrawn at the Date aforesaid.

Awards of
Arbitra-
tors may
be enforced
by County
Courts
where
Sum, &c.
in dispute
is within its
Jurisdic-
tion.

V. If either of the Parties to any Arbitration which shall take place under this Act for the Settlement of a Dispute shall refuse or neglect to comply with or conform to the Decision of the Arbitrators or the major Part of them, then, in case the Sum or Value in dispute shall not exceed the Limit fixed by Law for the Time being for any Debt or Damages claimable in the County Court in *England* or in the Court of the Assistant Barrister in *Ireland* respectively (as the Case may be), it shall be lawful for the Judge of the County Court

or

or the Assistant Barrister respectively (as the Case may be), within whose Jurisdiction the Society shall be established or shall carry on Business for the Time being, upon Proof adduced before him to his Satisfaction of an Award having been made by the Arbitrators according to the Rules of the Society, to cause the Award to be entered as a Judgment in his Court, and such Award shall thereupon take effect and be enforceable in the same Manner, to all Intents and Purposes, as a Judgment of such Court in a Cause between the same Persons as shall be Parties to the said Reference, except that the same shall be final and without Appeal; but in case the Sum or Value in dispute shall exceed the Limit fixed by Law for the Time being for any Debt or Damages claimable in the County Court or the Court of the Assistant Barrister respectively, then the same may, on the Application of either Party, be made a Rule of any of Her Majesty's Superior Courts at *Westminster* or at *Dublin* (as the Case may be).

Where it exceeds such Jurisdiction, then to be submitted to Superior Courts.

VI. The Sheriff in *Scotland* shall within his County have the like Jurisdiction as is hereby given to the Judge of the County Court in any Matter arising under this Act.

Sheriff's jurisdiction in *Scotland*.

VII. Notwithstanding anything contained in the Laws for the Time being in force relating to Friendly Societies, it shall not be incumbent on any Treasurer or other Officer of any Society constituted under the Provisions of this Act to invest any of the Funds of such Society in manner provided by the Laws relating to Friendly Societies, nor shall any such Society be allowed to invest any Portion of such Funds with the Commissioners for the Reduction of the National Debt.

Investment of Funds.

VIII. All the Provisions of the Laws relating to Friendly Societies shall apply to every Society to be constituted under this Act, and to every Officer and Member of such Society, and to every Proceeding under this Act, except so far as any such Provision may be expressly varied by this Act, or by any Rule expressly authorized to be made by this Act, and also except so far as the Registrar of Friendly Societies from Time to Time, by Writing under his Hand, to be endorsed on the Rules of any such Society, shall certify that any such Provision is not applicable to such Society; and no such Society shall be considered to be within the Provisions of an Act passed in the Session of Parliament of the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*.

Laws relating to Friendly Societies to be applicable, except as varied by this Act, or certified to be inapplicable.

IX. No Society shall be entitled to the Benefit of this Act whereof the Rules shall not provide that the Amount of the Share or Interest in the Funds of the same to be held at any

7 & 8 Vict. c. 110. not to extend to Societies constituted under this Act.

Limitation of interest of Mem-

bers in
Funds of
Society.

any One Time by or in trust for any One Member of the same, or any Persons claiming by or through him, otherwise than by way of Annuity, shall be restricted to a Sum to be therein fixed, but which shall not exceed One Hundred Pounds, exclusively of any Annuity; nor shall any Member or other Person be entitled by way of Annuity to any Interest in the Funds of such Society to an Amount exceeding Thirty Pounds *per Annum*.

Annual
Returns to
be pre-
pared as
Registrar
may direct.

X. The General Statement of the Funds and Effects of any Society or Branch constituted under this Act, which by the Laws relating to Friendly Societies is provided to be transmitted to the Registrar once in every Year, shall exhibit fully the Assets and Liabilities of the Society, and shall be prepared and made out within such Period, and in such Form, and shall comprise such Particulars, as the Registrar shall from Time to Time require, and shall be filed and preserved in such Manner as he shall direct.

Liability
of the
Members
not to be
restricted.

XI. Nothing in this or the said recited Act shall be construed to restrict in anywise the Liability of the Members of any Society established under or by virtue of this Act, or claiming the Benefit thereof, to the lawful Debts and Engagements of such Society: Provided always, that no Person shall be liable for the Debts or Engagements of any such Society after the Expiration of Two Years from his ceasing to be a Member of the same.

Provisions
of Friendly
Societies
Acts giving
such Prior-
ity over
other Cre-
ditors as
to Estate
of Officers,
and Ex-
emption
from
Stamp
Duties in
certain
Cases, not
to apply
to Societies
constituted
under this
Act.

XII. No Provision of the Laws relating to Friendly Societies whereby any Money due to any such Society from any Officer of the same or other Person intrusted with the keeping of the Accounts, or having in his Hands any Money or Effects belonging to any such Society, or from the Estate of any such Officer or Person, is made payable in preference to or before any other Creditor, shall apply to any Society constituted under the Provisions of this Act; and no Exemption from Stamp Duties allowed by the Laws relating to Friendly Societies shall apply to any Society constituted under the Provisions of this Act, except so far as relates to any Copy of the Rules of such Society, and to any other Instrument or Document whatsoever relating to such Society, which might have been given, issued, signed, made, or produced under the Laws relating to Friendly Societies by or on behalf of or respecting a Society constituted under the Laws in force relating to such Societies previously to the passing of this Act, and would have been exempt from Duty in such Case.

Meaning of
Words
"County
Court."

XIII. The Words "County Court," when occurring in this Act, shall apply only to County Courts established or holden

holden under the Provisions of an Act passed in the Tenth 9 & 10
 Year of the Reign of Her present Majesty, intituled *An Act* Vict. c. 95.
for the more easy Recovery of Small Debts and Demands in
 England, and the Acts amending the same.

XIV. This Act may be cited as the “Industrial and ShortTitle.
 Provident Societies Act, 1852.”

CAP. XXXII.

*An Act to alter and amend certain Provisions in the
 Laws relating to the Number and Election of Magis-
 trates and Councillors in the Burghs in Scotland.—*
 [30th June 1852.]

WHEREAS an Act was passed in the Third and Fourth
 Years of the Reign of His late Majesty King *William*
 the Fourth, intituled *An Act to alter and amend the Laws for* 3 & 4 W.
the Election of the Magistrates and Councils of the Royal 4. c. 76.
Burghs in Scotland: And whereas another Act was passed in
 the Fourth and Fifth Years of the Reign of His said late
 Majesty, intituled *An Act to explain certain Provisions of an* 4 & 5 W.
Act of the Third and Fourth Years of the Reign of His pre- 4. c. 87.
sent Majesty, to alter and amend the Laws for the Election
of the Magistrates and Councils of the Royal Burghs in
 Scotland: And whereas it is expedient to alter the Number of
 Magistrates and Councillors in certain of the Royal Burghs in
 Scotland, and to make Provision for the Case of the Provost
 and Magistrates of any Burgh being included in the One Third
 of the Council going out of Office annually, and also for a new
 Election taking place in such Royal Burghs as now are or shall
 in future be under the Administration of Managers lawfully
 appointed: Be it enacted by the Queen's most Excellent
 Majesty, by and with the Advice and Consent of the Lords
 Spiritual and Temporal, and Commons, in this present Parlia-
 ment assembled, and by the Authority of the same,

I. That in construing this Act the Word “Council” shall
 be held to include Provost, Bailies, and Councillors; the
 Word “Magistrates” shall be held to mean Provost and
 Bailies, or Bailies, as the Case may be. Interpre-
 tation
 Clause.

II. At and after the next annual Election of Councillors in
 each Number of
 the Coun-

cils in certain Royal Burghs limited to the Number specified in the Schedule.

each of the Royal Burghs in *Scotland* specified in the Schedule to this Act annexed, the Number of the Councils of such Royal Burghs shall be limited to the Numbers specified in the said Schedule as applicable to each such Burgh respectively, and at such next annual Elections respectively the whole Number of Councillors specified in the said Schedule as applicable to each such Burgh, and no larger Number, shall be elected according, or as nearly as may be according, to present Use, and no Member of Council shall continue in Office in respect of any prior Election.

Magistrates in such Burghs limited to the Number specified in the Schedule.

III. At and after such next annual Elections respectively the Magistrates of each such Burgh shall be the Number and Description of Magistrates specified in the said Schedule to this Act annexed as applicable to each such Burgh respectively; and it shall be competent for the Councillors of each such Burgh elected under this Act to elect according, or as nearly as may be according, to present Use, such Number and Description of Magistrates in each such Burgh respectively as are specified in the said Schedule as applicable to such Burgh.

On completion of next annual Elections Magistrates and Councils previously in Office shall go out.

IV. On the Completion of such next annual Elections respectively the whole Magistrates and Council previously in Office in each such Burgh shall go out, and their whole Powers, Duties, and Functions shall cease and determine, without Prejudice, nevertheless, to the Re-election under this Act of any of the Persons so to go out, and from and after such next annual Election of Councillors in each such Burgh a Majority of the whole Council of such Burgh shall constitute a Quorum.

Magistrates to retain Office until their Successors are elected and come into Office.

V. Whereas by the said first-recited Act, and by the Seventy-seventh Chapter of the Statute passed in the same Year of King *William* the Fourth, it is provided that One Third of the Councils of the Burghs therein respectively referred to shall go out of Office annually, and difficulties have arisen in consequence of the Provost and Magistrates of a Burgh having been included in the Third Part of the Council so going out of Office, whereby their Powers ceased before their Successors were elected: For Remedy whereof, whenever it shall so happen that the Provost and Magistrates of any of the said Burghs shall all be included in the One Third of the Council going out of Office as aforesaid, they shall nevertheless retain and continue to exercise all the Powers and Functions of their several Offices of Provost and Magistrates respectively until the Election and coming into Office of their Successors; but they shall not, after the Period of their so going out of Office, be entitled to act or vote as Councillors.

VI. At

VI. At the First Meeting of the Council of any such Burgh after the annual Election, but before the Election of the Provost and Magistrates, the Provost or Senior Magistrate who may continue to be a Member of Council and be present at the said Meeting shall preside thereat, and shall at such Meeting have a deliberative and in case of Equality of Votes a Casting Vote; and if the Provost and all the Magistrates shall be in the Number of Councillors retiring from Office, then the retiring Provost or Chief Magistrate, or failing them the retiring Magistrate next in Seniority, shall attend and preside at such Meeting until the Meeting shall have elected the Provost and Magistrates respectively, as the Case may be, and no longer, and such Provost or Magistrate shall have no deliberative Vote in such Meeting, but shall, in case of Equality of Votes, have a Casting Vote.

Provost or
Chief
Magistrate
to preside
at First
Meeting
of Council
after
annual
Election.

VII. Where any Burgh not contained in Schedule F. annexed to the said first-recited Act shall at the Time of the passing of this Act be without any legal Council, and be under the Administration of Managers lawfully appointed, the qualified Electors of such Burgh shall, before the First *Tuesday* of *November* next after the passing of this Act, proceed to choose the Number of Councillors provided to such Burgh by this or the said first-recited Act; and where any such Burgh shall, in consequence of the Decision of a Court of Law or otherwise, be without a legal Council at any future Time, and under the Administration of Managers, the qualified Electors of such Burgh shall, before the First *Tuesday* of *November* next ensuing after the Date of the Appointment of such Managers, proceed to choose the Number of Councillors provided to such Burgh by this or the said first-recited Act; and in all such Cases the Sheriff of the County within which such Burgh is situated shall, on Application made to him by any qualified Elector of such Burgh, appoint One of the Managers thereof to discharge the Duties and exercise the Powers directed in the said first-recited Act and this Act to be performed and exercised by the retiring Provost or Senior Magistrate of such Burgh; and every such Election shall proceed and be carried on in all other respects in the Manner provided by the said first-recited Act and this Act until the Council of such Burgh shall be completed.

Election
in Burghs
not con-
tained in
Schedule
F. of 3 & 4
W. 4. c. 76.
having no
legal Coun-
cils and
being
under the
Admini-
stration of
Managers.

VIII. Immediately after the Election of Councillors in any such Burgh shall be completed in manner herein-before provided the Councillors so elected shall proceed to elect from among their own Number the Magistrates of such Burgh, and shall also elect a Treasurer and the other usual and ordinary Office Bearers fixed by the Set or Usage of such Burgh, and shall

Election of
Magis-
trates, &c.
in Cases
where
Burgh has
been with-
out Coun-
shall

eil and
under
Managers.

shall elect Managers of any charitable Institution which may be connected with such Burgh and the Appointment of Managers to which is vested in the Magistrates and Council of such Burgh, all in the Manner provided in the said first-recited Act with regard to the Election of Magistrates and other Office Bearers, the Councillor who had the greatest Number of Votes at the Election of Councillors presiding at such Election, and having a casting or double Vote in case of Equality; and in the Event of Two or more Councillors having an equal Number of Votes, One of the Managers of such Burgh to be appointed as aforesaid shall preside, and shall have a casting but no deliberative Vote; and immediately on the Completion of such Election of Magistrates the Managers of such Burgh shall cease to hold Office and to administer the Affairs of the Burgh; and all succeeding annual Elections of Councillors and Magistrates in any such Burgh shall take place at the Time and in the Manner provided in the said recited Acts and this Act.

Succeed-
ing annual
Elections
of Council.

Election
of Magis-
trates not
to be in-
valid in
conse-
quence of
retiring
Magis-
trate or
other un-
authorized
Person pre-
siding at
Election.

Recited
Acts to
remain in
force, ex-
cept in so
far as in-
consistent
with this
Act.

IX. No election of any Provost or Magistrates or Councillors in any Burgh which shall have taken place prior to the passing of this Act shall be invalid by reason of any retiring Provost or Magistrate, or of any other Person not legally authorized, having presided at such Election, or having cast up the Votes and declared the Result of any Election of Councillors of such Burgh, anything in any Act of Parliament or Law or Practice to the contrary in anywise notwithstanding: Provided always, that nothing herein contained shall affect any Action or Proceeding at Law instituted prior to the passing of this Act.

X. The Provisions of the said recited Acts with respect to the Mode of Election of Magistrates and Councils, the Term of Magistrates and Councils remaining in Office, the Supply of Vacancies, and all other the Provisions thereof, shall, excepting in so far as inconsistent with or varied by this Act, be and remain in full Force and Effect, but the said Acts shall, in so far as the same or any Parts thereof are inconsistent with the Provisions of this Act, but no further, be and the same are hereby repealed.

SCHEDULE to which the foregoing Act refers.

	Number of Council.	Bailies.	Provost.
Annan	15	3	1
Anstruther, Easter . .	9	2	1
Anstruther, Wester . .	9	2	0
Arbroath	18	3	1
Auchtermuchty	12	2	1
Banff	9	3	1
Burntisland	12	2	1
Crail	9	2	1
Cullen	12	2	1
Culross	9	2	1
Cupar	18	3	1
Dornoch	9	2	1
Dumbarton	15	3	1
Dunbar	12	3	1
Dysart	9	2	1
Earlsferry	9	2	0
Falkland	12	2	1
Forfar	15	3	1
Haddington	18	3	1
Inverary	12	2	1
Inverkeithing	12	2	1
Irvine	18	3	1
Jedburgh	15	3	1
Kilrenny	9	2	1
Kinghorn	9	2	1
Kirkwall	12	2	1
Lanark	15	3	1
Lauder	9	2	0
Linlithgow	15	3	1
Lochmaben	9	1	1
New Galloway	9	2	1
North Berwick	9	2	0
Peebles	12	2	1
Pittenweem	12	2	1
Queensferry	9	2	1
Renfrew	12	2	1
Rothsay	18	3	1
Sanquhar	9	2	1
Selkirk	15	2	1
Whithorn	9	2	1
Wick	15	3	1

CAP. XXXIII.

An Act to confirm certain Provisional Orders made under an Act of the last Session, "to facilitate "Arrangements for the Relief of Turnpike Trusts, "and to make certain Provisions respecting Exemptions from Tolls."—[30th June 1852.] (England.)

CAP. XXXIV.

An Act to extend the Act to facilitate the Improvement of Landed Property in Ireland and the Acts amending the same, to the Erection of Scutch Mills for Flax in Ireland.—[30th June 1852.]

CAP. XXXV.

An Act to amend an Act passed in the last Session of Parliament, intituled An Act to regulate certain Proceedings in relation to the Election of Representative Peers for Scotland.—[30th June 1852.]

14 & 15
Vict. c. 37.

WHEREAS Mention is made in the Third Section of an Act passed in the last Session of Parliament, intituled *An Act to regulate certain Proceedings in relation to the Election of Representative Peers for Scotland*, of Subscription to a Declaration no longer required by Law, and it is expedient to repeal and amend the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Section 3
repealed.

Peers of
Scotland
may take
the Oaths,
&c. in
Courts of
Ireland,
and before
other offi-
cers.

I. The Third Section of the said recited Act be repealed.

II. A Peer of *Scotland* may take and subscribe any Oaths required by Law to entitle such Peer to vote by Proxy or signed List at such Elections in Her Majesty's High Court of Chancery in *Ireland*, or Her Majesty's Courts of Queen's Bench, Common Pleas, or Exchequer in *Ireland*, in the same Manner and under the same Regulations as he may take and subscribe the same in the like Courts in *England*, or he may take

take and subscribe the said Oaths before the Lieutenant of any County in *Great Britain* or *Ireland*, or any Member of Her Majesty's Most Honourable Privy Council in *Great Britain* or *Ireland*, or any Judge of a County Court in *England*, or any *British* Ambassador or Minister accredited to any Foreign Court, or the Secretary of any such Embassy or Legation, or the Governor, Lieutenant Governor, or Officer administering the Government of any of Her Majesty's Plantations, Colonies, or Possessions abroad, or any of Her Majesty's Judges residing therein; and every such Person before whom the said Oaths shall be taken and subscribed shall certify the same in a Certificate attached thereto, which shall be produced, together with the Proxy or signed List of the Peer, at such Election: Provided always, that nothing herein contained shall be construed to prevent any Peer taking and subscribing such Oaths in any Manner at present competent by Law.

CAP. XXXVI.

An Act to amend the Law relating to the certifying and registering Places of Religious Worship of Protestant Dissenters.—[30th June 1852.] (England.)

CAP. XXXVII.

An Act to continue the Poor Law Commission for Ireland.—[30th June 1852.]

CAP. XXXVIII.

An Act to explain Two Acts of the Twelfth and Thirteenth Years of the Reign of Her Majesty, concerning the Appointments of Overseers, and the Authority of Justices of the Peace to act in certain Matters relating to the Poor in Cities and Boroughs.—[30th June 1852.]

CAP. XXXIX.

CAP. XXXIX.

An Act to remove Doubts as to the Lands and Casual Revenues of the Crown in the Colonies and Foreign Possessions of Her Majesty.—[30th June 1852.]

CAP. XL.

An Act for carrying into execution an Agreement for the Sale of Property belonging to Her Majesty, in right of Her Crown and of Her Duchy of Lancaster, to the Commissioners of Inland Revenue; and for enabling such Commissioners to dispose of their present Chief Offices and other Property in the City of London.—[30th June 1852.]

CAP. XLI.

An Act to provide a Burial Ground for the Township of Huddersfield in the County of York.—[30th June 1852.]

CAP. XLII.

An Act to confirm certain Provisional Orders of the General Board of Health, and to amend the Public Health Act, 1848.—[30th June 1852.] (England.)

CAP. XLIII.

An Act to repeal certain Disabilities under the First of George the First, Chapter Thirteen, and the Sixth of George the Third, Chapter Fifty-three.—[30th June 1852.]

WHEREAS

WHEREAS by an Act of Parliament passed in the First Year of the Reign of King George the First, intituled, *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors*, it is among other things enacted, that if any Person that now is or hereafter shall be a Peer of this Realm, or Member of the House of Peers, or Member of the House of Commons in this or any succeeding Parliament, and after the said Twenty-ninth Day of September One thousand seven hundred and fifteen presume to vote or make his Proxy, not having taken the Oath therein mentioned, and subscribed the same, as therein also stated, every such Peer or Member so offending shall be disabled to sue, or use any Action, Bill, Complaint, or Information, in any Court of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child or Executor or Administrator of any Person, or to be capable of any Legacy or Deed of Gift, or to be in any Office within this Realm of Great Britain, or to vote at any Election for Members to serve in Parliament, and shall forfeit the Sum of Five hundred Pounds, to be recovered by him or them that shall sue for the same, to be prosecuted by Action of Debt, Suit, Bill, Complaint, or Information in any of His Majesty's Courts at Westminster, wherein no Essoign, Protection, or Wager of Law shall lie, or any more than One Impar lance, and by way of summary Complaint before the Court of Sessions or Prosecution before the Court of Justiciary in Scotland: And whereas also by a certain other Act of Parliament passed in the Sixth Year of His late Majesty King George the Third, intituled *An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen Anne, intituled, "An Act for the Improvement of the Union of the Two Kingdoms," as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason*, it is declared and enacted, amongst other things, that from and after the Fourth Day of June One thousand seven hundred and sixty-six the said Oath of Abjuration be administered in such Manner and Form as is therein-after set down and prescribed, and that all and every Person and Persons who were enjoined and required to administer, take, or subscribe the said Oath of Abjuration should respectively administer, take, and subscribe the Oath of Abjuration according to the form therein set down and prescribed in such Courts within such Time

1 G. 1. c. 13.

6 G. 3. c. 53.

Repealing
Disabili-
ties im-
posed by
the recited
Act upon
Members
of either
House of
Parlia-
ment vot-
ing with-
out taking
the re-
quired
Oath.

Time limited, in such Manner, and with due Observance of the same Requisites, and with Benefit of the same Savings, Provisoos, and Indemnities, as by the Acts therein referred to or by any other Acts or any Part of them then subsisting were directed and enacted; and in case of Neglect or Refusal he or they should be subject and liable to the same Penalties and Disabilities as by the Laws and Statutes aforesaid were enacted: And whereas the Disabilities so created are unnecessarily severe: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Enactment as imposes the Disabilities therein as above set forth shall be and is hereby repealed, and the said Disabilities shall cease and determine and be of no Effect with respect to any Offence committed or hereafter to be committed against the aforesaid Enactments: Provided always, that nothing herein contained shall affect the Liability of the Person so offending to the pecuniary Penalty imposed by the said Enactment, or alter in any respect the said Enactment in relation thereto.

CAP. XLIV.

An Act to amend and consolidate the Laws relating to the Carriage of Passengers by Sea.—[30th June 1852.]

CAP. XLV.

An Act for making a Turnpike Road between Stone Creek and Sunk Island Church in the County of York, and between Sunk Island Church and Patrington Haven, and for consolidating with such Roads the present Turnpike Road from Sunk Island Church to Ottringham, and for constructing Quays and Wharfs at Stone Creek.—[30th June 1852.]

CAP. XLVI.

CAP. XLVI.

An Act to amend an Act of the Eleventh Year of King George the Fourth for amending and consolidating the Laws relating to the Pay of the Royal Navy.—
[30th June 1852.]

CAP XLVII.

An Act to enable Her Majesty to abolish otherwise than by Treaty, on Condition of Reciprocity, Differential Duties on Foreign Ships.—[30th June 1852.]

CAP. XLVIII.

An Act for the Amendment of the Laws respecting the Property of Lunatics.—[30th June 1852.]

WHEREAS by an Act of Parliament passed in the First Year of the Reign of His late Majesty King William the Fourth, intituled *An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covert, Idiots, Lunatics, and Persons of unsound Mind*, a Power is given of ordering any Land of any Lunatic to be sold, or charged and incumbered by way of Mortgage, or otherwise disposed of, for the Purpose of raising Money for the Payment of Debts, and other Purposes therein mentioned, and Provision is thereby made as to the surplus Monies; and it is expedient that such Powers should be enlarged, and that the several Provisions of the said Act relative thereto, and to the Application of the Money raised, and the Quality of the surplus Monies, should be extended accordingly: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

11 G. 4. &
1 W. 4. c.
65. s. 28.

I. The

Powers
and Provi-
sions of the
recited Act
extended
to other
Cases and
Purposes.

I. The aforesaid Power of selling, or charging and incumbering by way of Mortgage, or otherwise disposing of the Land of any Lunatic, and the aforesaid Provisions relating thereto, or to the Application and Quality of the Monies to be raised, and every of them, is and are hereby extended so as to be applicable to and to include any Estate or Interest of any Lunatic in Land or Stock, in reversion, remainder, or expectancy, and so as to authorize the Payment out of the Monies to be raised of any Expenditure made or Debt incurred after Inquisition found, for the Maintenance or otherwise for the Benefit of the Lunatic, and the Payment of or Provision for the Expenses of his future Maintenance, and the Costs of such Sales, Charges, and Incumbrances, and other Dispositions as are hereby or by the said recited Act authorized.

Modes in
which fu-
ture Main-
tenance
may be
charged.

II. In case of a Charge or Mortgage being made by Order upon an Interest in contingency, or in reversion, remainder, or expectancy, for the Expenses of future Maintenance, the Order may direct the same to be payable and paid, either contingently, if the Interest charged be a contingent one, or upon the happening of the Event if the Interest be depending on an Event which must happen, and either in a gross Sum or in annual or other periodical Sums, and at such Times, in such Manner, and either with or without Interest, as shall be deemed expedient, and any Charge already made which would have been valid if made after this Act shall be and is hereby declared to be valid.

By whom
Jurisdic-
tion to be
exercised.

III. The Powers so given by the said Act as aforesaid, and the Powers herein-before given, may be exercised by and are hereby given to the Person or Persons for the Time being intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, and of unsound Mind; and the foregoing Provisions shall, as to Jurisdiction, and also as to the Interpretation of Expressions, and in all other respects, so far as may be consistent with the Meaning of this Act, be deemed to be incorporated with the said Act.

The fore-
going Pro-
visions to
be incorpo-
rated with
the recited
Act.

IV. And whereas by an Act of Parliament passed in the Ninth Year of the Reign of Her present Majesty Queen Victoria, intituled *An Act for the Regulation of the Cure and Treatment of Lunatics*, it was enacted, that when any Person should have been received or taken charge of as a Lunatic upon an Order and Certificate, or an Order and Certificate, in pursuance of the Provisions of the said Act, or of any Act thereby repealed, and should either have been detained as a Lunatic for the Twelve Months then last past, or should have been the Subject of a Report by the Commissioners in pur-
suance

suance of the Provision therein contained, it should be lawful for the Lord Chancellor to direct that One of the Masters in Lunacy should, and thereupon One of the said Masters should, personally examine such Person, and should take such Evidence and call for such Information as to such Master should seem necessary to satisfy him whether such Person was a Lunatic, and should report thereon to the Lord Chancellor, and such Report should be filed with the Secretary of Lunatics; and it should be lawful for the Lord Chancellor from Time to Time to make Orders for the Appointment of a Guardian, or otherwise for the Protection, Care, and Management of the Person of any Person who should by any such Report as last aforesaid be found to be a Lunatic, and such Guardian should have the same Powers and Authorities as a Committee of the Person of a Lunatic found such by Inquisition then had, and also to make Orders for the Appointment of a Receiver, or otherwise for the Protection, Care, and Management of the Estate of such Lunatic, and such Receiver should have the same Powers and Authorities as a Receiver of the Estate of a Lunatic found such by Inquisition then had, and also to make Orders for the Application of the Income of such Lunatic, or a sufficient Part thereof, for his Maintenance and Support, and in Payment of the Costs, Charges, and Expenses attending the Protection, Care, and Management of the Person and Estate of such Lunatic, and also as to the Investment or other Application for the Purpose of Accumulation of the Overplus, if any, of such Income, for the Use of such Lunatic, as to the Lord Chancellor should from Time to Time in each Case seem fit: And whereas Doubts have arisen whether the last-mentioned Act extends to authorize a Receiver appointed as aforesaid to receive Dividends on Government or Bank Stock or Annuities standing in the Lunatic's Name, and it is expedient that these Doubts should be removed: Be it therefore enacted as follows:

Every Receiver of the Estate of such Lunatic as aforesaid, already appointed, or who may be hereafter appointed under the Powers in the said last-recited Act, shall have full Power to demand, and to receive and to give effectual Receipts for, the Dividends due or to become due of any Stock belonging to the Lunatic.

Power to
receive Di-
vidends of
Stock in
Lunatic's
Name.

V. This Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England*, and all other Companies and Societies, and their Officers and Servants, for all Acts and Things done or permitted to be done pursuant thereto, and such Acts and Things shall not be questioned or impeached in

Indemnity
to Bank of
England,
&c.

any

any Court of Law or Equity to their Prejudice or Detri-
ment.

Receiver
may, under
Order,
make Re-
pairs,
Leases, &c.

VI. The Person or Persons for the Time being intrusted as aforesaid may, by Order upon a Petition, direct the Receiver to make such Repairs and Improvements of or upon the Land of the Lunatic, or to make to the Tenant executing the same such Allowance in respect thereof by and out of the Lunatic's Income, and also to make and execute such Contracts, Agreements, Leases, or Under-leases of or concerning the same, as may seem expedient for the Preservation or Increase of the Income; and every Act done according to such Direction as aforesaid shall be valid and binding to all Intents and upon all Persons whomsoever.

Interpreta-
tion of
Words.

VII. In the Construction of those Provisions of this Act which refer to the secondly-mentioned Act, the Words "Land," "Stock," and "Dividends" respectively shall be interpreted as is provided for the like Words in the first-mentioned Act.

CAP. XLIX.

An Act to extend the Provisions of the several Acts passed for the Conveyance of Sites for Schools.—
[30th June 1852.] (England and Ireland.)

CAP. L.

An Act to consolidate and amend the Laws relating to the Militia in England.—[30th June 1852.]

CAP. LI.

An Act to extend the Provisions of the Acts for the Commutation of Manorial Rights, and for the gradual Enfranchisement of Lands of Copyhold and Customary Tenure.—[30th June 1852.]

CAP. LII.

CAP. LII.

An Act to enable Colonial and other Bishops to perform certain Episcopal Functions, under Commission from Bishops of England and Ireland.—[30th June 1852.]

CAP. LIII.

An Act to provide for the Exercise of certain Powers vested in the Bishop of Quebec in respect of Districts severed from his Diocese.—[30th June 1852.]

CAP. LIV.

An Act further to facilitate and arrange Proceedings in the County Courts.—[30th June 1852.] (England.)

CAP. LV.

An Act to extend the Provisions of "The Trustee Act, 1850."—[30th June 1852.] (England.)

CAP. LVI.

An Act for regulating the Qualifications of Pharmaceutical Chemists.—[30th June 1852.]

CAP. LVII.

An Act to provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament.—[30th June 1852.]

WHEREAS it is expedient to make more effectual Provision for inquiring into the Existence of corrupt Practices at Elections of Members to serve in Parliament: Be it therefore

therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Upon Address of Houses of Parliament, Her Majesty may appoint Commissioners to make Inquiry into corrupt Practices at Elections.

I. Where by a joint Address of both Houses of Parliament it shall be represented to Her Majesty that a Committee of the House of Commons appointed to try an Election Petition, or a Committee of that House appointed to inquire into the Existence of corrupt Practices in any Election or Elections of a Member or Members to serve in Parliament, have reported to the House that corrupt Practices have, or that there is Reason to believe that corrupt Practices have, extensively prevailed in any County, Division of a County, City, Borough, University, or Place in the United Kingdom electing or sharing in the Election of a Member or Members to serve in Parliament, at any Election or Elections of such Members or Member, and the said Houses shall thereupon pray Her Majesty to cause Inquiry to be made under this Act, by Persons named in such Address, such Persons being (where the Inquiry to be made relates to a Place in *England* or *Ireland*) Barristers-at-Law of not less than Seven Years Standing, or (where such Inquiry relates to a Place in *Scotland*) Advocates of not less than Seven Years Standing, and not being Members of Parliament, or holding any Office or Place of Profit under the Crown, other than that of a Recorder of any City or Borough, it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, to appoint the said Persons to be Commissioners for the Purpose of making Inquiry into the Existence of such corrupt Practices; and in case any of the Commissioners so appointed die, resign, or become incapable to act, it shall be lawful for the surviving or continuing Commissioners or Commissioner to act in such Inquiry as if they or he had been solely appointed to be Commissioners or a sole Commissioner for the Purposes of such Inquiry, and (as to such sole Commissioner) as if this Act had authorized the Appointment of a sole Commissioner; and all the Provisions of this Act concerning the Commissioners appointed to make any such Inquiry shall be taken to apply to such surviving or continuing Commissioner or Commissioners.

Commissioners to be sworn.

II. Every Commissioner appointed in pursuance of this Act shall, before beginning to act in the Execution of this Act, take the following Oath; (that is to say,)

‘ I A.B. do swear, That I will truly and faithfully execute the Powers and Trusts vested in me by an Act intituled ‘ [here insert the Title of the Act], according to the best of my Knowledge and Judgment. So help me GOD.’

And

And every such Commissioner appointed in *England* or *Ireland* shall take such Oath before a Justice of the Court of Queen's Bench or Common Pleas, or a Baron of the Court of Exchequer, in *England* or *Ireland* respectively; and every such Commissioner appointed in *Scotland* shall take such Oath before a Judge of the Court of Session in *Scotland*.

III. It shall be lawful for any Commissioners appointed under this Act to appoint, and at their Pleasure to dismiss, a Secretary, and so many Clerks, Messengers, and Officers as shall be thought necessary by One of Her Majesty's Principal Secretaries of State, for the Purpose of conducting the Inquiry to be made by them, and to pay to such Secretary, Clerks, Messengers, and Officers such Salaries and Allowances as shall be thought reasonable by the Commissioners of Her Majesty's Treasury.

Secretary
and Clerks
to be ap-
pointed.

IV. The Commissioners appointed under this Act to make Inquiry as aforesaid in relation to any County, Division of a County, City, Borough, University, or Place shall, upon their Appointment, or within a reasonable Time afterwards, go to such County, Division of a County, City, Borough, University, or Place, and shall from Time to Time hold Meetings for the Purposes of such Inquiry at some convenient Place within the same, or within Ten Miles thereof, and shall have Power to adjourn such Meetings from Time to Time, and from any One Place to any other Place within such County, Division of a County, City, Borough, University, or Place, or within Ten Miles thereof, as to them may seem expedient; and such Commissioners shall give Notice of their Appointment, and of the Time and Place of holding their First Meeting, by publishing the same in some Newspaper in general Circulation in such County, Division of a County, City, Borough, University, or Place, or the Neighbourhood thereof: Provided always, that such Commissioners shall not adjourn the Inquiry for any Period exceeding One Week, without the Consent and Approbation of One of Her Majesty's Principal Secretaries of State.

Place of
Meeting.

V. Provided also, That it shall be lawful for the said Commissioners, with such Consent and Approbation as aforesaid, to hold Meetings of the said Commissioners in the Cities of *London* or *Westminster*, and to adjourn the same from Time to Time, as they may deem fit.

Commis-
sioners
may hold
Meetings
in *London*
and *West-*
minster.

VI. Such Commissioners shall, by all such lawful Means as to them appear best, with a view to the Discovery of the Truth, inquire into the Manner in which the Election in relation to which such Committee as aforesaid may have reported to the House of Commons, or where the Report of such Committee has referred

Inquiry by
the Com-
missioners.

referred to Two or more Elections, the latest of such Elections, has been conducted, and whether any corrupt Practices have been committed at such Election, and if so, whether by way of the Gift or Loan or the Promise of the Gift or Loan of any Sum of Money or other valuable Consideration to any Voter or Voters, or to any other Person or Persons on his or their Behalf, for the Promise or the giving of his or their Vote or Votes, or for his or their refraining or promising to refrain from giving his or their Vote or Votes, at such Election, or for his or their procuring or undertaking to procure the Votes of other Electors at such Election, or whether by the Payment of any Sum of Money or Loan or other valuable Consideration whatsoever to any Voter, or to any other Person on his Behalf, before, during, or after the Termination of such Election, by way of Head Money, or in compliance with any Usage or Custom in the County, Division of a County, City, Borough, University, or Place to which the Inquiry relates, or how otherwise, or whether any Sum of Money or other valuable Consideration whatsoever has been paid to any Voter, or to any other Person on his Behalf, after the Termination of such Election, as a Reward for giving or for having refrained from giving his Vote at such Election; and in case such Commissioners find that corrupt Practices have been committed at the Election into which they are herein-before authorized to inquire, it shall be lawful for them to make the like Inquiries concerning the latest previous Election for the same County, Division of a County, City, Borough, University, or Place; and upon their finding corrupt Practices to have been committed at that Election it shall be lawful for them to make the like Inquiries concerning the Election immediately previous thereto for such County, Division of a County, City, Borough, University, or Place, and so in like Manner from Election to Election, as far back as they may think fit; but where upon Inquiry as aforesaid concerning any Election such Commissioners do not find that corrupt Practices have been committed thereat, they shall not inquire concerning any previous Election; and such Commissioners shall from Time to Time report to Her Majesty the Evidence taken by them, and what they find concerning the Premises, and especially such Commissioners shall report with respect to each Election the Names of all Persons whom they find to have been guilty of corrupt practice at such Election, and as well of those who have given Bribes for the Purchase or for the Purpose of purchasing the Votes of others as of those who have themselves received Money or any other valuable Consideration for having given or having refrained from giving,

or

or for the Purpose of inducing them to give or to refrain from giving their Votes at such Election, and also the Names of all Persons whom they find to have given to others, or to have received themselves, Payments by way of Head Money, or as a Reward for giving or refraining from giving their Votes at such Election, and all other things whereby in the Opinion of the said Commissioners the Truth may be better known touching the Premises.

VII. Every Report which such Commissioners make to Her Majesty in pursuance of this Act shall be laid before Parliament within One Calendar Month next after such Report is made, if Parliament be then sitting, or if Parliament be not then sitting, then within One Calendar Month next after the then next Meeting of Parliament.

Reports to be laid before Parliament.

VIII. It shall be lawful for such Commissioners, by a Summons under their Hands and Seals, or under the Hand and Seal of any One of them, to require the Attendance before them, at a Place and Time to be mentioned in the Summons, which Time shall be a reasonable Time from the Date of such Summons, of any Persons whomsoever whose Evidence, in the Judgment of such Commissioners or Commissioner, may be material to the Subject Matter of the Inquiry to be made by such Commissioners, and to require all Persons to bring before them such Books, Papers, Deeds, and Writings as to such Commissioners or Commissioner appear necessary for arriving at the Truth of the Things to be inquired into by them under this Act; all which Persons shall attend such Commissioners, and shall answer all Questions put to them by such Commissioners touching the Matters to be inquired into by them, and shall produce all Books, Papers, Deeds, and Writings required of them, and in their Custody or under their Control, according to the Tenor of the Summons: Provided always, that no Statement made by any Person in answer to any Question put by such Commissioner shall, except in Cases of Indictment for Perjury committed in such Answers, be admissible in Evidence in any Proceeding, civil or criminal.

Power to send for Persons and Papers.

IX. For the more effectually prosecuting any Inquiry under this Act, every Person who has been engaged in any corrupt Practice at or connected with any Election of Members or a Member to serve in Parliament for any County, Division of a County, City, Borough, University, or Place to which any Inquiry under this Act relates, and who is examined as a Witness, and gives Evidence touching such corrupt Practice before the Commissioners appointed under this Act to make such Inquiry, and who upon such Examination makes a true Discovery to the best of his Knowledge touching all Things

Persons implicated in corrupt practices, who may be examined, and shall make a faithful Discovery indemnified.

Things to which he is so examined, shall be freed from all Penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions to which he may have been or may become liable or subject at the Suit of Her Majesty, Her Heirs or Successors, or any other Person, for anything done by such Person or Persons in respect of such corrupt Practice; and no Person shall be excused from answering any Question put to him by such Commissioners on the Ground of any Privilege, or on the Ground that the Answer to such Question will tend to criminate such Person.

Witnesses examined not to be indemnified unless they shall have a Certificate from the Commissioners.

X. Where any Witness is so examined as aforesaid, such Witness shall not be indemnified under this Act unless he receive from such Commissioners a Certificate in Writing under their Hands, stating that such Witness has, upon his Examination, made a true Disclosure touching all Things to which he has been so examined; and if any Action, Information, or Indictment be at any Time pending in any Court against any Person so examined as a Witness in manner above mentioned, for any corrupt Practice at any Election to which the Inquiry made by such Commissioners had reference, such Court shall, on the Production and Proof of such Certificate, stay the Proceedings in any such Action, Information, or Indictment, and may, in its Discretion, award to such Person such Costs as he may have been put to by such Action, Information, or Indictment.

Commissioners to examine on Oath, &c.

XI. It shall be lawful for any such Commissioners, or One of them, to administer an Oath, or an Affirmation where an Affirmation would be admitted in a Court of Justice on the ground of Religious Scruples, to all Persons who are examined before them touching the Things to be inquired into by them under this Act.

Penalty for Non-attendance, or refusing to give Evidence.

XII. If any Person on whom any Summons shall have been served, by the Delivery thereof to him or by the leaving thereof at his usual Place of abode, fail to appear before the said Commissioners at the Time and Place specified in such Summons, it shall be lawful for the said Commissioners to certify such Default under their Hands and Seals, or under the Hand and Seal of any One of them, to any of Her Majesty's Superior Courts in *England* or *Ireland* or to the Court of Session in *Scotland*, or to the Lord Ordinary on the Bills in the said Court, as the Case may be; and thereupon such Court or Judge shall proceed against the Person so failing to attend, in the same Manner as if the said Person had failed to obey any Writ of Subpœna, or any Process issuing out of the said Court; and if any Person so summoned to attend as aforesaid, and having appeared before the said Commissioners, shall refuse

fuse to be sworn, or to make Answer to such Questions as are put to him touching the Matters in question by the said Commissioners, or to produce and show to the said Commissioners any Papers, Books, Deeds, or Writings being in his Possession or under his Control, which the Commissioners may deem necessary to be produced; or if any Person shall be guilty of any Contempt of the said Commissioners or their Office, the said Commissioners shall have such and the same Powers to be exercised in the same way as any Judge of any of Her Majesty's Superior Courts of *England* or *Ireland*, or of the Court of Session in *Scotland*, sitting under any Commission, may now by Law exercise in that Behalf; and all Headboroughs, Gaolers, Constables, and Bailiffs shall and they are required to give their Aid and Assistance to the said Commissioners in the Execution of their Office.

XIII. Every Person who, upon Examination upon Oath or Affirmation before any Commissioners to be appointed under this Act, wilfully gives false Evidence, shall be liable to the Pains and Penalties of Perjury. Penalty for false swearing, &c.

XIV. The said Commissioners shall have Power, if they deem fit, to award to any Witness summoned to appear before them a reasonable Sum for his or her travelling Expenses, and for his or her Maintenance according to a Scale to be determined and approved of by the Commissioners of Her Majesty's Treasury, and the said Commissioners shall certify to the said Commissioners of Her Majesty's Treasury the Names of the said Witnesses, together with the Sums allowed to each, and the said Commissioners shall pay to the said Witnesses the said Sums so allowed as aforesaid, out of any Money which may be provided by Parliament for the Purposes of the said Commission. Expenses of Witnesses.

XV. It shall be lawful for the Commissioners of Her Majesty's Treasury to make an Order for the Payment of the necessary Expenses of any Inquiry under this Act; and every Commissioner to be appointed under this Act shall be paid, at the Conclusion of the Inquiry, over and above his travelling and other Expenses, such Sum as the Commissioners of Her Majesty's Treasury think fit; and any Commissioners so appointed shall, after the Termination of their last Sitting, and after they have made their Report to Her Majesty, as herein-before directed, lay or cause to be laid before the Commissioners of Her Majesty's Treasury a Statement of the Number of Days they have been actually employed in the Inquiry made by them, together with an Account of the travelling and other Expenses of each of such Commissioners; and the Commissioners of Her Majesty's Treasury shall make Expenses of the Inquiry.
an

an Order for the Payment to each Commissioner of the Sum which the Commissioners of Her Majesty's Treasury so think fit to be paid to him, and in respect of his travelling and other Expenses, which said Payments shall be made out of any Money which may be provided by Parliament for that Purpose.

Protection
of Commis-
sioners.

XVI. That the Commissioners shall have such and the like Protection and Privileges, in case of any Action brought against them for any Act done or omitted to be done in the Execution of their Duty, as is now by Law given by any Act or Acts now or hereafter to be in force to Justices acting in execution of their Office.

Limitation
of Actions.

XVII. No Action shall be brought against any Commissioners appointed under this Act, or any other Person whomsoever, for any Thing done in the Execution of this Act, unless such Action be brought within Six Calendar Months next after the doing of such Thing.

CAP. LVIII.

An Act to continue certain Turnpike Acts in Great Britain.—[30th June 1852.]

CAP. LIX.

An Act to continue the Poor Law Board.—[30th June 1852.] (England.)

CAP. LX.

An Act to continue an Act of the Twelfth Year of Her present Majesty, for amending the Laws relating to Savings Banks in Ireland.—[30th June 1852.]

CAP. LXI.

CAP. LXI.

An Act to amend the Laws relating to Summary Proceedings for Penalties and Forfeitures under the Acts relating to the Excise.—[30th June 1852.]

CAP. LXII.

An Act to alter and amend certain Acts relating to the Woods, Forests, and Land Revenues of the Crown.—[30th June 1852.]

CAP. LXIII.

An Act to amend the Laws relating to the Valuation of rateable Property in Ireland.—[30th June 1852.]

CAP. LXIV.

An Act to continue and amend the Metropolitan Sewers Act.—[30th June 1852.]

CAP. LXV.

An Act to continue and amend an Act passed in the Fourteenth Year of the Reign of Her present Majesty, to consolidate and amend the Laws relating to Friendly Societies.—[30th June 1852.]

WHEREAS the Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, will expire at the End of the present Session of Parliament, and it is expedient that the same should be amended 13 & 14
Vict. c.
115.

amended and further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts relating to Friendly Societies passed previously to 10 Geo. 4. c. 56. to continue in force as to such Societies.

I. All and every the Act and Acts of Parliament passed previous to the passing of the Act of the Tenth Year of the Reign of King *George* the Fourth, Chapter Fifty-six, relating to Friendly Societies, shall, notwithstanding anything contained in the Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, be deemed and taken to continue and be in force and to have continued and been in force from the Time of the passing of the said last-mentioned Act, as regards each and every Society established under any of the said previous Acts, or to which the same may be applicable, to such and the same Extent and in the like Manner as before and at the Time of the passing of the said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, except so far as any of the Provisions of the said Act respectively affect or are applicable to such Societies; but each and every Society established under any Act or Acts of Parliament relating to Friendly Societies passed previous to the passing of the said Act of the Fourteenth Year of Her present Majesty, Chapter One hundred and fifteen, may come under the Provisions of that Act, by having their Rules certified in conformity thereto, and thereupon the Provisions of the Act or Acts under which such Society has been established shall cease as to such Society, except as to any Offences committed, or Penalties or Liabilities incurred, or Bond or Security given, or Proceedings taken, under such Acts.

Payment of Salaries and Expenses of Registrars.

II. The Commissioners of Her Majesty's Treasury may allow the Registrars of Friendly Societies in *England*, *Scotland*, and *Ireland*, respectively to retain out of the Fees to be received by them respectively under the said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, such Sum as will defray the Salary due to them respectively, and also such Sum as will defray the Expenses from Time to Time allowed by the said Commissioners for Office Rent, Salaries of Clerks, Stationery, Computation of Tables, and for such other Expenses as may be incurred by them respectively by the Authority of the said Commissioners, and the Balance, if any, shall be paid over to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the said Commissioners shall from Time to Time regulate the Manner in which such

Fees

Fees are to be received, kept, and accounted for; and if such Fees shall not in any Year be sufficient to defray such Salary and Expenses, the Balance shall be paid out of the said Consolidated Fund; and the Deficiency of the Fees to defray the Salaries and Expenses of the Office of Registrar of Friendly Societies in *England* since the passing of the said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, shall be paid out of the said Consolidated Fund.

III. The Trustees of every Friendly Society established under any Act or Acts of Parliament relating to Friendly Societies which shall have deposited or which shall deposit any Portion of its Funds with the Commissioners for the Reduction of the National Debt shall furnish such Accounts and Returns relating thereto as shall from Time to Time be required by the said Commissioners; and it shall not be lawful for the said Trustees to pay any Portion of its Funds to the said Commissioners until they shall have satisfied the said Commissioners, in such Manner and by such Returns and Accounts as the said Commissioners shall require, that they are duly authorized by Law to make such Payment to the said Commissioners.

Trustees
of Friend-
ly Societies
to furnish
Accounts
to the
Commis-
sioners of
the Na-
tional
Debt.

IV. The said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, shall be further continued to the First Day of *October* in the Year One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament.

Recited
Act fur-
ther con-
tinued.

CAP. LXVI.

An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of Ireland.—[30th June 1852.]

CAP. LXVII.

*An Act to continue the Powers of applying for a Sale of
Lands*

Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in Ireland.—[30th June 1852.]

CAP. LXVIII.

An Act for the Application of certain Money accrued from Fines and Forfeitures in Ireland in aid of certain distressed Unions and Electoral Divisions in that Country.—[30th June 1852.]

CAP. LXIX.

An Act to confirm certain Provisional Orders of the General Board of Health. — [30th June 1852.] (England.)

CAP. LXX.

An Act for authorizing the Occupation of the House of Correction recently erected by and for the City of London at Holloway in the County of Middlesex.— [30th June 1852.]

CAP. LXXI.

An Act to amend an Act of the Ninth and Tenth Years of Her present Majesty for the Embankment of a Portion of the River Thames.—[30th June 1852.]

CAP. LXXII.

CAP. LXXII.

An Act to grant a Representative Constitution to the Colony of New Zealand.—[30th June 1852.]

CAP. LXXIII.

An Act to make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius, in the Superior Courts of Common Law, and for the Payment of such Officers, and of the Judges' Clerks by Salaries, and to abolish certain Offices in those Courts.—[30th June 1852.]

CAP. LXXIV.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland ; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Sergeant Majors of the Militia ; and to authorize the Employment of the Non-commissioned Officers.—[30th June 1852.]

CAP. LXXV.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.—[30th June 1852.]

CAP. LXXVI.

CAP. LXXVI.

An Act to amend the Process, Practice, and Mode of Pleading in the Superior Courts of Common Law at Westminster, and in the Superior Courts of the Counties Palatine of Lancaster and Durham.—
[30th June 1852.]

CAP. LXXVII.

An Act to abolish the Office of Lord Chancellor's Secretary of Bankrupts, and to regulate the Offices of Chief Registrar of the Court of Bankruptcy.—[30th June 1852.]

CAP. LXXVIII.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in Pimlico and in the Neighbourhood of Buckingham Palace.—[30th June 1852.]

CAP. LXXIX.

An Act to amend and further extend the Acts for the Inclosure, Exchange, and Improvement of Land.—
[30th June 1852.] (England.)

CAP. LXXX.

CAP. LXXX.

An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court.—[30th June 1852.]

CAP. LXXXI.

An Act to consolidate and amend the Statutes relating to the Assessment and Collection of County Rates in England and Wales.—[30th June 1852.]

CAP. LXXXII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and fifty-two, and to appropriate the Supplies granted in this Session of Parliament.—[1st July 1852.]

CAP. LXXXIII.

An Act for amending the Law for granting Patents for Inventions.—[1st July 1852.]

WHEREAS it is expedient to amend the Law concerning Letters Patent for Inventions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

mons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain
Persons
constituted
Commis-
sioners of
Patents for
Inventions,
Three of
whom may
act, the
Chancellor
or Master
of the Rolls
being One.

I. The Lord Chancellor, the Master of the Rolls, Her Majesty's Attorney General for *England*, Her Majesty's Solicitor General for *England*, the Lord Advocate, Her Majesty's Solicitor General for *Scotland*, Her Majesty's Attorney General for *Ireland*, and Her Majesty's Solicitor General for *Ireland*, for the Time being respectively, together with such other Person or Persons as may be from Time to Time appointed by Her Majesty, as herein-after mentioned, shall be Commissioners of Patents for Inventions; and it shall be lawful for Her Majesty from Time to Time, by Warrant under Her Royal Sign Manual, to appoint such other Person or Persons as She may think fit to be a Commissioner or Commissioners as aforesaid; and every Person so appointed shall continue such Commissioner during Her Majesty's Pleasure; and all the Powers hereby vested in the Commissioners may be exercised by any Three or more of them, the Lord Chancellor or Master of the Rolls being One.

Seal of the
Commis-
sioners.

II. It shall be lawful for the Commissioners to cause a Seal to be made for the Purposes of this Act, and from Time to Time to vary such Seal, and to cause to be sealed therewith all the Warrants for Letters Patent under this Act, and all Instruments and Copies proceeding from the Office of the Commissioners, and all Courts, Judges, and other Persons whomsoever shall take notice of such Seal, and receive Impressions thereof in Evidence, in like Manner as Impressions of the Great Seal are received in Evidence, and shall also take notice of and receive in Evidence, without further Proof or Production of the Originals, all Copies or Extracts, certified under the Seal of the said Office, of or from Documents deposited in such Office.

Power to
Commis-
sioners to
make
Rules and
Regula-
tions,
which shall
be laid
before Par-
liament.
Commis-
sioners to
report an-
nually to
Parlia-
ment.

III. It shall be lawful for the Commissioners from Time to Time to make such Rules and Regulations (not inconsistent with the Provisions of this Act) respecting the Business of their Office, and all Matters and Things which under the Provisions herein contained are to be under their Control and Direction, as may appear to them necessary and expedient for the Purposes of this Act; and all such Rules shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within Fourteen Days after the next Meeting of Parliament; and the Commissioners shall cause a Report to be laid annually before Parliament of all the Proceedings under and in pursuance of this Act.

IV. It

IV. It shall be lawful for the Commissioners of Her Majesty's Treasury to provide and appoint from Time to Time proper Places or Buildings for an Office or Offices for the Purposes of this Act. Treasury to provide Offices.

V. It shall be lawful for the Commissioners, with the Consent of the Commissioners of the Treasury, from Time to Time to appoint for the Purposes of this Act such Clerks and Officers as the Commissioners may think proper; and it shall be lawful for the Commissioners from Time to Time to remove any of the Clerks and Officers so appointed. Commissioners, with Consent of the Treasury, to appoint Clerks, &c.

VI. Every Petition for the Grant of Letters Patent for an Invention, and the Declaration required to accompany such Petition, shall be left at the Office of the Commissioners, and there shall be left therewith a Statement in Writing, hereinafter called the Provisional Specification, signed by or on behalf of the Applicant for Letters Patent, describing the Nature of the said Invention; and the Day of the Delivery of every such Petition, Declaration, and Provisional Specification shall be recorded at the said Office, and endorsed on such Petition, Declaration, and Provisional Specification, and a Certificate thereof given to such Applicant or his Agent; and all such Petitions, Declarations, and Provisional Specifications shall be preserved in such Manner as the Commissioners may direct, and a Registry thereof and of all Proceedings thereon kept at the Office of the Commissioners. Petition and Declaration to be accompanied with a Provisional Specification.

VII. Every Application for Letters Patent made under this Act shall be referred by the Commissioners, according to such Regulations as they may think fit to make, to One of the Law Officers. Every Application to be referred to One of the Law Officers.

VIII. The Provisional Specification shall be referred to the Law Officer, who shall be at liberty to call to his Aid such scientific or other Person as he may think fit, and to cause to be paid to such Person by the Applicant such Remuneration as the Law Officer shall appoint; and if such Law Officer be satisfied that the Provisional Specification describes the Nature of the Invention, he shall allow the same, and give a Certificate of his Allowance, and such Certificate shall be filed in the Office of the Commissioners, and thereupon the Invention therein referred to may, during the Term of Six Months from the Date of the Application for Letters Patent for the said Invention, be used and published without Prejudice to any Letters Patent to be granted for the same, and such Protection from the Consequences of Use and Publication is herein-after referred to as Provisional Protection: Provided always, that in case the Title of the Invention or the Provisional Specification be too large or insufficient, it shall be lawful for the Law Officer The Provisional Specification to be referred to the Law Officer, who, if satisfied, may give a Certificate of his Allowance, which shall be filed.

Officer

Officer to whom the same is referred to allow or require the same to be amended.

Inventor may deposit, in lieu of a Provisional Specification, a Complete Specification, such Deposit to confer for a limited Time the like Rights as Letters Patent.

IX. The Applicant for Letters Patent for an Invention, instead of leaving with the Petition and Declaration a Provisional Specification as aforesaid, may, if he think fit, file with the said Petition and Declaration an Instrument in Writing under his Hand and Seal (herein-after called a Complete Specification), particularly describing and ascertaining the Nature of the said Invention, and in what Manner the same is to be performed, which Complete Specification shall be mentioned in such Declaration, and the Day of the Delivery of every such Petition, Declaration, and Complete Specification shall be recorded at the Office of the Commissioners, and endorsed on such Petition, Declaration, and Specification, and a Certificate thereof given to such Applicant or his Agent, and thereupon, subject and without Prejudice to the Provisions herein-after contained, the Invention shall be protected under this Act for the Term of Six Months from the Date of the Application, and the Applicant shall have during such Term of Six Months the like Powers, Rights, and Privileges as might have been conferred upon him by Letters Patent for such Invention, issued under this Act, and duly sealed as of the Day of the Date of such Application; and during the Continuance of such Powers, Rights, and Privileges under this Provision, such Invention may be used and published without Prejudice to any Letters Patent to be granted for the same; and where Letters Patent are granted in respect of such Invention, then in lieu of a Condition for making void such Letters Patent in case such Invention be not described and ascertained by a subsequent Specification, such Letters Patent shall be conditioned to become void if such Complete Specification, filed as aforesaid, does not particularly describe and ascertain the Nature of the said Invention, and in what Manner the same is to be performed; and a Copy of every such Complete Specification shall be open to the Inspection of the Public, as herein-after provided, from the Time of depositing the same, subject to such Regulation as the Commissioners may make.

Letters Patent granted to the First Inventor not to be invalidated by Protection obtained in

X. In case of any Application for Letters Patent for any Invention, and the obtaining upon such Application of Provisional Protection for such Invention, or of Protection for the same, by reason of the Deposit of a Complete Specification as aforesaid in fraud of the true and First Inventor, any Letters Patent granted to the true and First Inventor of such Invention shall not be invalidated by reason of such Application, or of such provisional or other Protection as aforesaid,
or

or of any Use or Publication of the Invention subsequent to such Application, and before the Expiration of the Term of such provisional or other Protection.

fraud of the First Inventor.

XI. Where any Invention is provisionally protected under this Act, or protected by reason of the Deposit of such Complete Specification as aforesaid, the Commissioners shall cause such Provisional Protection or such other Protection as aforesaid to be advertised in such Manner as they may see fit.

Commissioners to cause Protections to be advertised.

XII. The Applicant for Letters Patent, so soon as he may think fit after the Invention shall have been provisionally protected under this Act, or where a Complete Specification has been deposited with his Petition and Declaration, then so soon as he may think fit after such Deposit, may give Notice at the Office of the Commissioners of his Intention of proceeding with his Application for Letters Patent for the said Invention, and thereupon the said Commissioners shall cause his said Application to be advertised in such Manner as they may see fit; and any Persons having an Interest in opposing the Grant of Letters Patent for the said Invention shall be at liberty to leave Particulars in Writing of their Objections to the said Application at such Place and within such Time and subject to such Regulations as the Commissioners may direct.

Application for Letters Patent to be advertised, and also Oppositions to the same.

XIII. So soon as the Time for the Delivery of such Objections shall have expired, the Provisional Specification or Complete Specification (as the Case may be) and Particulars of Objection (if any) shall be referred to the Law Officer to whom the Application has been referred.

Specification and Objections to be referred to Law Officer.

XIV. It shall be lawful for the Law Officer to whom any Application for such Letters Patent is referred, if he see fit, by Certificate under his Hand, to order by or to whom the Costs of any Hearing or Inquiry upon any Objection, or otherwise in relation to the grant of such Letters Patent, or in relation to the Provisional (or other) Protection acquired by the Applicant under this Act, shall be paid, and in what Manner and by whom such Costs are to be ascertained; and if any Costs so ordered to be paid be not paid within Four Days after the Amount thereof shall be so ascertained, it shall be lawful for such Law Officer to make an Order for the Payment of the same, and every such Order may be made a Rule of One of Her Majesty's Superior Courts at *Westminster* or *Dublin*, and may be recorded in the Books of Council and Session in *Scotland* to the Effect that Execution may pass thereupon in common Form.

Power to Law Officer to order by or to whom Costs shall be paid.

XV. It shall be lawful for such Law Officer, after such Hearing, if any, as he may think fit, to cause a Warrant to be

Power to Law Officer to

cause a
Warrant to
be made for
sealing of
Letters
Patent.

Chancellor
to have
same
Powers in
respect to
Warrant,
&c. as he
now has.

Writ of
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facias.

Nothing to
affect the
Prerogative of the
Crown in
granting
or with-
holding
Grant of
Letters
Patent.

Letters
Patent to
be made
subject to
Avoidance
on Non-ful-
filment of
certain
Conditions.

be made for the sealing of Letters Patent for the said Invention, and such Warrant shall be sealed with the Seal of the Commissioners, and shall set forth the Tenor and Effect of the Letters Patent thereby authorized to be granted, and such Law Officer shall direct the insertion in such Letters Patent of all such Restrictions, Conditions, and Provisoos as he may deem usual and expedient in such Grants, or necessary in pursuance of the Provisions of this Act; and the said Warrant shall be the Warrant for the making and sealing of Letters Patent under this Act according to the Tenor of the said Warrant: Provided always, that the Lord Chancellor shall and may have and exercise such Powers, Authority, and Discretion in respect to the said Warrant, and the Letters Patent therein directed to be made under this Act, as he now has and might now exercise with respect to the Warrant for the Issue under the Great Seal of Letters Patent for any Invention, and with respect to the making and issuing of such Letters Patent; and the Writ of Scire facias shall lie for the Repeal of any Letters Patent issued under this Act, in the like Cases as the same would lie for the Repeal of Letters Patent which may now be issued under the Great Seal.

XVI. Provided also, That nothing herein contained shall extend to abridge or affect the Prerogative of the Crown in relation to the granting or withholding the Grant of any Letters Patent; and it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, to direct such Law Officer to withhold such Warrant as aforesaid, or that any Letters Patent for the issuing whereof he may have issued a Warrant as aforesaid shall not issue, or to direct the Insertion in any Letters Patent to be issued in manner herein provided of any Restrictions, Conditions, or Provisoos which Her Majesty may think fit in addition to or in substitution for any Restrictions, Conditions, or Provisoos which would otherwise be inserted therein under this Act; and it shall also be lawful for Her Majesty, by like Warrant, to direct any Complete Specification which may have been filed under the Provision herein-before contained, and in respect of the Invention described in which no Letters Patent may have been granted, to be cancelled, and thereupon the Protection obtained by the filing of such Complete Specification shall cease.

XVII. All Letters Patent for Inventions granted under the Provisions herein-before contained shall be made subject to the Condition that the same shall be void, and that the Powers and Privileges thereby granted shall cease and determine, at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid, before the Expiration of the

the said Three and Seven Years respectively, the Sum or Sums of Money and Stamp Duties in the Schedule to this Act annexed; and the Payment of the said Sums of Money and Stamp Duties respectively shall be endorsed on the Warrant for the said Letters Patent; and such Officer of the Commissioners as may be appointed for this Purpose shall issue under the Seal of the Commissioners a Certificate of such Payment, and shall endorse a Receipt for the same on any Letters Patent issued under the authority of the said Warrant; and such Certificate, duly stamped, shall be evidence of the Payment of the several Sums respectively.

XVIII. The Commissioners, so soon after the sealing of the said Warrant as required by the Applicant for the Letters Patent, shall cause to be prepared Letters Patent for the Invention, according to the Tenor of the said Warrant, and it shall be lawful for the Lord Chancellor to cause such Letters Patent to be sealed with the Great Seal of the United Kingdom, and such Letters Patent so sealed shall extend to the whole of the United Kingdom of *Great Britain* and *Ireland*, the Channel Islands, and the *Isle of Man*; and in case such Warrant so direct, such Letters Patent shall be made applicable to Her Majesty's Colonies and Plantations abroad, or such of them as may be mentioned in such Warrant; and such Letters Patent shall be valid and effectual as to the whole of such United Kingdom, and the said Islands and Isle, and the said Colonies or Plantations, or such of them as aforesaid, and shall confer the like Powers, Rights, and Privileges as might, in case this Act had not been passed, have been conferred by several Letters Patent of the like Purport and Effect passed under the Great Seal of the United Kingdom, under the Seal appointed to be used instead of the Great Seal of *Scotland*, and under the Great Seal of *Ireland* respectively, and made applicable to *England*, the Dominion of *Wales*, the Town of *Berwick-upon-Tweed*, the Channel Islands, and *Isle of Man*, and the said Colonies and Plantations, or such of them as aforesaid, to *Scotland*, and to *Ireland* respectively, save as herein otherwise provided: Provided always, that nothing in this Act contained shall be deemed or taken to give any Effect or Operation to any Letters Patent to be granted under the Authority of this Act in any Colony in which such or the like Letters Patent would be invalid by the Law in force in the same Colony for the Time being: Provided always, that a Transcript of such Letters shall, so soon after the sealing of the same and in such Manner as the Commissioners shall direct, be transmitted to the Director of Chancery in *Scotland*, and be recorded in the Records of Chancery in *Scotland*,

Letters Patent issued under the Great Seal to be valid for the whole of the United Kingdom, the Channel Islands, and the Isle of Man.

Nothing to give effect to any Letters Patent granted in any Colony.

land, upon Payment of such Fees as the Commissioners shall appoint, in the same Manner and to the same Effect in all respects as Letters Patent passing under the Seal appointed by the Treaty of Union to be used in place of the Great Seal of *Scotland* have heretofore been recorded, and Extracts from the said Records shall be furnished to all Parties requiring the same, on Payment of such Fees as the Commissioners shall direct, and shall be received in Evidence in all Courts in *Scotland* to the like Effect as the Letters Patent themselves.

No Letters Patent to be issued after 3 Months from Date of Warrant.

XIX. Provided always, That no Letters Patent, save as herein-after mentioned in the Case of Letters Patent destroyed or lost, shall issue on any Warrant granted as aforesaid, unless Application be made to seal such Letters Patent within Three Months after the Date of the said Warrant.

No Letters Patent (except in lieu of those lost, &c.) to be issued after Expiration of Protection given by this Act.

XX. Provided also, That no Letters Patent (save Letters Patent issued in lieu of others destroyed or lost) shall be issued or be of any Force or Effect unless the same be granted during the Continuance of the Provisional Protection under this Act, or, where a Complete Specification has been deposited under this Act, then unless such Letters Patent be granted during the Continuance of the Protection conferred under this Act by reason of such Deposit, save that where the Application to seal such Letters Patent has been made during the Continuance of such Provisional or other Protection as aforesaid, and the sealing of such Letters Patent has been delayed by reason of a Caveat or an Application to the Lord Chancellor against or in relation to the sealing of such Letters Patent, then such Letters Patent may be sealed at such Time as the Lord Chancellor shall direct.

Letters Patent may be granted to Personal Representatives of the Applicant during the Term of Protection, or within 3 Months after Applicant's decease.

XXI. Provided also, That where the Applicant for such Letters Patent dies during the Continuance of the Provisional Protection, or the Protection by reason of the Deposit of a Complete Specification, (as the Case may be,) such Letters Patent may be granted to the Executors or Administrators of such Applicant during the Continuance of such Provisional or other Protection, or at any Time within Three Months after the Death of such Applicant, notwithstanding the Expiration of the Term of such Provisional or other Protection, and the Letters Patent so granted shall be of the like Force and Effect as if they had been granted to such Applicant during the Continuance of such Provisional or other Protection.

If Letters Patent be destroyed or lost,

XXII. Provided also, That in case any such Letters Patent shall be destroyed or lost, other Letters Patent of the like Tenor and Effect, and sealed and dated as of the same Day, may, subject to such Regulations as the Commissioners may direct,

direct, be issued under the Authority of the Warrant in pursuance of which the original Letters Patent were issued.

XXIII. It shall be lawful (the Act of the Eighteenth Year of King *Henry* the Sixth, Chapter One, or any other Act to the contrary notwithstanding,) to cause any Letters Patent to be issued in pursuance of this Act to be sealed and bear Date as of the Day of the Application for the same, and in case of such Letters Patent for any Invention provisionally registered under the "Protection of Inventions Act, 1851," as of the Day of such Provisional Registration, or, where the Law Officer to whom the Application was referred, or the Lord Chancellor, thinks fit and directs, any such Letters Patent as aforesaid may be sealed and bear Date as of the Day of the sealing of such Letters Patent, or of any other Day between the Day of such Application or Provisional Registration and the Day of such sealing.

XXIV. Any Letters Patent issued under this Act sealed and bearing Date as of any Day prior to the Day of the actual sealing thereof shall be of the same Force and Validity as if they had been sealed on the Day as of which the same are expressed to be sealed and bear Date: Provided always, that save where such Letters Patent are granted for any Invention, in respect whereof a Complete Specification has been deposited upon the Application for the same under this Act, no Proceeding at Law or in Equity shall be had upon such Letters Patent in respect of any Infringement committed before the same were actually granted.

XXV. Where, upon any Application made after the passing of this Act, Letters Patent are granted in the United Kingdom for or in respect of any Invention first invented in any Foreign Country or by the Subject of any Foreign Power or State, and a Patent or like Privilege for the Monopoly or exclusive Use or Exercise of such Invention in any Foreign Country is there obtained before the Grant of such Letters Patent in the United Kingdom, all Rights and Privileges under such Letters Patent shall (notwithstanding any Term in such Letters Patent limited) cease and be void immediately upon the Expiration or other Determination of the Term during which the Patent or like Privilege obtained in such Foreign Country shall continue in force, or where more than One such Patent or like Privilege is obtained abroad, immediately upon the Expiration or Determination of the Term which shall first expire or be determined of such several Patents or like Privileges: Provided always, that no Letters Patent for or in respect of any Invention for which any such Patent or like Privilege as aforesaid shall have been obtained

other Letters Patent may be issued.

Letters Patent may be dated as of the Day of the Application.

Letters Patent where antedated to be of the same Validity as if sealed on the Day of the Date.

Letters Patent obtained in United Kingdom for patented Foreign Inventions not to continue in force after the Expiration of the Foreign Patent.

in any Foreign Country, and which shall be granted in the said United Kingdom after the Expiration of the Term for which such Patent or Privilege was granted or was in force, shall be of any Validity.

Letters
Patent not
to prevent
the Use of
Inventions
in Foreign
Ships re-
sorting to
British
Ports ;

except
Ships of
Foreign
States in
whose
Ports
British
Ships are
prevented
from using
Foreign
Inventions.

Specifica-
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being en-
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Specifica-
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to be filed
in such
Office as
Lord Chan-
cellor shall
direct.

As to filing
extra
Copies of
Drawings.

Copies of
Specifica-
tions to be

XXVI. No Letters Patent for any Invention (granted after the passing of this Act) shall extend to prevent the Use of such Invention in any Foreign Ship or Vessel, or for the Navigation of any Foreign Ship or Vessel, which may be in any Port of Her Majesty's Dominions, or in any of the Waters within the Jurisdiction of any of Her Majesty's Courts, where such Invention is not so used for the Manufacture of any Goods or Commodities to be vended within or exported from Her Majesty's Dominions: Provided always, that this Enactment shall not extend to the Ships or Vessels of any Foreign State of which the Laws authorize Subjects of such Foreign State, having Patents or like Privileges for the exclusive Use or Exercise of Inventions within its Territories, to prevent or interfere with the Use of such Inventions in *British* Ships or Vessels, or in or about the Navigation of *British* Ships or Vessels, while in the Ports of such Foreign State, or in the Waters within the Jurisdiction of its Courts, where such Inventions are not so used for the Manufacture of Goods or Commodities to be vended within or exported from the Territories of such Foreign State.

XXVII. All Letters Patent to be granted under this Act (save only Letters Patent granted after the filing of a Complete Specification) shall require the Specification thereunder to be filed in the High Court of Chancery, instead of requiring the same to be enrolled, and no Enrolment shall be requisite.

XXVIII. Every Specification to be filed in pursuance of the Condition of any Letters Patent shall be filed in such Office of the Court of Chancery as the Lord Chancellor shall from Time to Time appoint, and every Provisional Specification and Complete Specification left or filed at the Office of the Commissioners on the Application for any Letters Patent, shall forthwith after the Grant of the Letters Patent, or if no Letters Patent be granted then immediately on the Expiration of Six Months from the Time of such Application, be transferred to and kept in the said Office appointed for filing Specifications in Chancery; and in case Reference is made to Drawings in any Specification deposited or filed under this Act, an extra Copy of such Drawings shall be left with such Specification.

XXIX. The Commissioners shall cause true Copies of all Specifications (other than Provisional Specifications), Dis-

claimers,

claimers, and Memoranda of Alterations filed under or in pursuance of this Act, and of all Provisional Specifications after the Term of the Provisional Protection of the Invention has expired, to be open to the Inspection of the Public at the Office of the Commissioners, and at an Office in *Edinburgh* and *Dublin* respectively, at all reasonable Times, subject to such Regulations as the Commissioners may direct; and the Commissioners shall cause a Transcript of the said Letters Patent to be transmitted for Enrolment in the Court of Chancery, *Dublin*, and shall cause the same to be enrolled therein, and the Transcript or Exemplification thenceforward shall have the like Effect to all Intents and Purposes as if the original Letters Patent had been enrolled in the Court of Chancery in *Dublin*, and all Parties shall have all their Remedies by Scire facias or otherwise, as if the Letters Patent had been granted to extend to *Ireland* only.

XXX. The Commissioners shall cause to be printed, published, and sold, at such Prices and in such Manner as they may think fit, all Specifications, Disclaimers, and Memoranda of Alterations deposited or filed under this Act, and such Specifications (not being Provisional Specifications,) Disclaimers, and Memoranda respectively shall be so printed and published as soon as conveniently may be after the filing thereof respectively, and all such Provisional Specifications shall be so printed and published as soon as conveniently may be after the Expiration of the Provisional Protection obtained in respect thereof; and it shall be lawful for the Commissioners to present Copies of all such Publications to such public Libraries and Museums as they may think fit, and to allow the Person depositing or filing any such Specification, Disclaimer, or Memorandum of Alteration to have such Number, not exceeding Twenty-five, of the Copies thereof so printed and published, without any Payment for the same, as they may think fit.

XXXI. It shall be lawful for the Lord Chancellor and the Master of the Rolls to direct the Enrolment of Specifications, Disclaimers, and Memoranda of Alterations heretofore or hereafter enrolled or deposited at the *Rolls Chapel* Office, or at the Petty Bag Office, or at the Enrolment Office of the Court of Chancery, or in the Custody of the Master of the Rolls as Keeper of the Public Records, to be transferred to and kept in the Office appointed for filing Specifications in Chancery under this Act.

XXXII. The Commissioners shall cause Indexes to all Specifications, Disclaimers, and Memoranda of Alterations heretofore or to be hereafter enrolled or deposited as last aforesaid

open to Inspection at Office of Commissioners, and at *Edinburgh* and *Dublin*.

Specifications and other Documents to be printed and published.

As to presenting Copies of Publications to Public Libraries, &c.

Enrolments, &c. may be removed to the Office for Specifications.

Commissioners to cause Indexes to

be made to old Specifications, &c.; such Specifications, &c. may be printed and published.

to be prepared in such Form as they may think fit, and such Indexes shall be open to the Inspection of the Public at such Place or Places as the Commissioners shall appoint, and subject to the Regulations to be made by the Commissioners, and the Commissioners may cause all or any of such Indexes, Specifications, Disclaimers, and Memoranda of Alterations to be printed, published, and sold in such Manner and at such Prices as the Commissioners may think fit.

Copies of Specifications, &c. as printed by Queen's Printers to be Evidence.

XXXIII. Copies, printed by the Printers to the Queen's Majesty, of Specifications, Disclaimers, and Memoranda of Alterations shall be admissible in Evidence, and deemed and taken to be *prima facie* Evidence of the Existence and Contents of the Documents to which they purport to relate in all Courts and in all Proceedings relating to Letters Patent.

Register of Patents to be kept.

XXXIV. There shall be kept at the Office appointed for filing Specifications in Chancery under this Act a Book or Books, to be called "The Register of Patents," wherein shall be entered and recorded in chronological Order all Letters Patent granted under this Act, the Deposit or Filing of Specifications, Disclaimers, and Memoranda of Alterations filed in respect of such Letters Patent, all Amendments in such Letters Patent and Specifications, all Confirmations and Extensions of such Letters Patent, the Expiry, Vacating, or Cancelling such Letters Patent, with the Dates thereof respectively, and all other Matters and Things affecting the Validity of such Letters Patent as the Commissioners may direct, and such Register, or a Copy thereof, shall be open at all convenient Times to the Inspection of the Public, subject to such Regulations as the Commissioners may make.

A Register of Proprietors to be kept at the Office for filing Specifications.

XXXV. There shall be kept at the Office appointed for filing Specifications in Chancery under this Act a Book or Books, entitled "The Register of Proprietors," wherein shall be entered, in such Manner as the Commissioners shall direct, the Assignment of any Letters Patent, or of any Share or Interest therein, any Licence under Letters Patent, and the District to which such Licence relates, with the Name or Names of any Person having any Share or Interest in such Letters Patent or Licence, the Date of his or their acquiring such Letters Patent, Share, and Interest, and any other Matter or Thing relating to or affecting the Proprietorship in such Letters Patent or Licence; and a Copy of any Entry in such Book, certified under such Seal as may have been appointed or as may be directed by the Lord Chancellor to be used in the said Office, shall be given to any Person requiring the same, on Payment of the Fees herein-after provided; and such Copies so certified shall be received in Evidence in all Courts

Courts and in all Proceedings, and shall be *primâ facie* Proof of the Assignment of such Letters Patent, or Share or Interest therein, or of the Licence or Proprietorship, as therein expressed: Provided always, that until such Entry shall have been made the Grantee or Grantees of the Letters Patent shall be deemed and taken to be the sole and exclusive Proprietor or Proprietors of such Letters Patent, and of all the Licences and Privileges thereby given and granted; that certified Duplicates of all Entries made in the said Register of Proprietors shall forthwith be transmitted to the Office of the Commissioners in *Edinburgh* and *Dublin*, where the same shall also be open to the Inspection of the Public; and any Writ of Scire facias to repeal such Letters Patent may be issued to the Sheriff of the County or Counties in which the Grantee or Grantees resided at the Time when the said Letters Patent were granted; and in case such Grantee or Grantees do not reside in the United Kingdom it shall be sufficient to file such Writ in the Petty Bag Office, and serve Notice thereof in Writing at the last known Residence or Place of Business of such Grantee or Grantees; and such Register or a Copy shall be open to the Inspection of the Public at the Office of the Commissioners, subject to such Regulations as the Commissioners may make: Provided always, that in any Proceedings in *Scotland* to repeal any Letters Patent Service of all Writs and Summonses shall be made according to the existing Forms and Practice; provided also, that the Grantee or Grantees of Letters Patent to be hereafter granted may assign the Letters Patent for *England*, *Scotland*, or *Ireland* respectively, as effectually as if the Letters Patent had been originally granted to extend to *England* or *Scotland* or *Ireland* only, and the Assignee or Assignees shall have the same Rights of Action and Remedies, and shall be subject to the like Actions and Suits as he or they should and would have had and been subject to upon the Assignment of Letters Patent granted to *England*, *Ireland*, or *Scotland* before the passing of this Act.

XXXVI. Notwithstanding any Proviso that may exist in former Letters Patent, it shall be lawful for a larger Number than Twelve Persons hereafter to have a legal and beneficial Interest in such Letters Patent.

XXXVII. If any Person shall wilfully make or cause to be made any false Entry in the said Register of Proprietors, or shall wilfully make or forge, or cause to be made or forged, any Writing falsely purporting to be a Copy of any Entry in the said Book, or shall produce or tender, or cause to be produced or tendered, in Evidence any such Writing, knowing the

Power for more than Twelve Persons to have a legal Interest in Letters Patent.
Falsification or Forgery of Entries a Misdemeanor.

the same to be false or forged, he shall be guilty of a Misdemeanor, and shall be punished by Fine and Imprisonment accordingly.

Entries
may be
expunged.

XXXVIII. If any Person shall deem himself aggrieved by any Entry made under colour of this Act in the said Register of Proprietors, it shall be lawful for such Person to apply, by Motion, to the Master of the Rolls, or to any of the Courts of Common Law at *Westminster* in Term Time, or by Summons to a Judge of any of the said Courts in Vacation, for an Order that such Entry may be expunged, vacated, or varied; and upon any such Application the Master of the Rolls, or such Court or Judge respectively, may make such Order for expunging, vacating, or varying such Entry, and as to the Costs of such Application, as to the said Master of the Rolls or to such Court or Judge may seem fit; and the Officer having the Care and Custody of such Register, on the Production to him of any such Order for expunging, vacating, or varying any such Entry, shall expunge, vacate, or vary the same, according to the Requisitions of such Order.

Provisions
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under this
Act.

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Office of
Commis-
sioners.

XXXIX. All the Provisions of the Acts of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Eighty-three, and of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Sixty-nine, respectively, relating to Disclaimers and Memoranda of Alterations in Letters Patent and Specifications, except as herein-after provided, shall be applicable and apply to any Letters Patent granted, and to any Specification filed under the Provisions of this Act: Provided always, that all Applications for Leave to enter a Disclaimer or Memorandum of Alteration shall be made, and all Caveats relating thereto shall be lodged at the Office of the Commissioners, and shall be referred to the respective Law Officers in the said first-recited Act mentioned: Provided also, that every such Disclaimer or Memorandum of Alteration shall be filed in the Office appointed for filing Specifications in Chancery under this Act, with the Specification to which the same relates, in lieu of being entered or filed and enrolled as required by the said first-recited Act, or by the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and nine, and the said Acts shall be construed accordingly: Provided also, that such filing of any Disclaimer or Memorandum of Alteration, in pursuance of the Leave of the Law Officer in the first-recited Act mentioned, certified as therein mentioned, shall, except in Cases of Fraud, be conclusive as to the Right of the Party to enter such Disclaimer or Memorandum of Alteration under the said Acts and this Act;
and

and no Objection shall be allowed to be made in any Proceeding upon or touching such Letters Patent, Specification, Disclaimer, or Memorandum of Alteration, on the Ground that the Party entering such Disclaimer or Memorandum of Alteration had not sufficient Authority in that Behalf: Provided also, that no Action shall be brought upon any Letters Patent in which or on the Specification of which any Disclaimer or Memorandum of Alteration shall have been filed in respect of any Infringement committed prior to the filing of such Disclaimer or Memorandum of Alteration, unless the Law Officer shall certify in his Fiat that any such Action may be brought, notwithstanding the Entry or Filing of such Disclaimer or Memorandum of Alteration.

XL. All the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, for the Confirmation of any Letters Patent, and the Grant of new Letters Patent, and all the Provisions of the said Act, and of the Acts of the Session holden in the Second and Third Years of Her Majesty, Chapter Sixty-seven, and of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Sixty-nine, respectively, relating to the Prolongation of the Term of Letters Patent, and to the Grant of new Letters Patent for a further Term, shall extend and apply to any Letters Patent granted under the Provisions of this Act, and it shall be lawful for Her Majesty to grant any new Letters Patent, as in the said Acts mentioned; and in the granting of any such new Letters Patent Her Majesty's Order in Council shall be a sufficient Warrant and Authority for the sealing of any new Letters Patent, and for the Insertion in such new Letters Patent of any Restrictions, Conditions, and Provisions in the said Order mentioned; and the Lord Chancellor on the Receipt of the said Order in Council, shall cause Letters Patent, according to the Tenor and Effect of such Order, to be made and sealed in the Manner herein directed for Letters Patent issued under the Warrant of the Law Officer: Provided always, that such new Letters Patent shall extend to and be available in and for such Places as the original Letters Patent extended to and were available in: Provided also, that such new Letters Patent shall be sealed and bear Date as of the Day after the Expiration of the Term of the original Letters Patent which may first expire.

Provisions of 5 & 6 W. 4. c. 83., 2 & 3 Vict. c. 67., and 7 & 8 Vict. c. 69. as to Confirmation and Prolongation, to apply to Patents under this Act.

XLI. In any Action in any of Her Majesty's Superior Courts of Record at *Westminster* or in *Dublin* for the Infringement of Letters Patent the Plaintiff shall deliver with his Declaration Particulars of the Breaches complained of in the

In Actions for Infringement of Letters Patent,

the

Particulars to be delivered, and no Evidence allowed not mentioned therein.

the said Action, and the Defendant, on pleading thereto, shall deliver with his Pleas, and the Prosecutor in any Proceedings by Scire facias to repeal Letters Patent shall deliver with his Declaration, Particulars of any Objections on which he means to rely at the Trial in support of the Pleas in the said Action or of the Suggestions of the said Declaration in the Proceedings by Scire facias respectively; and at the Trial of such Action or Proceeding by Scire facias no Evidence shall be allowed to be given in support of any alleged Infringement or of any Objection impeaching the Validity of such Letters Patent which shall not be contained in the Particulars delivered as aforesaid: Provided always, that the Place or Places at or in which and in what Manner the Invention is alleged to have been used or published prior to the Date of the Letters Patent shall be stated in such Particulars: Provided also, that it shall and may be lawful for any Judge at Chambers to allow such Plaintiff or Defendant or Prosecutor respectively to amend the Particulars delivered as aforesaid, upon such Terms as to such Judge shall seem fit: Provided also, that at the Trial of any Proceeding by Scire facias to repeal Letters Patent the Defendant shall be entitled to begin and to give Evidence in support of such Letters Patent, and in case Evidence shall be adduced on the Part of the Prosecutor impeaching the Validity of such Letters Patent, the Defendant shall be entitled to the Reply.

Courts of Common Law may grant Injunction in case of Infringement.

XLII. In any Action in any of Her Majesty's Superior Courts of Record at *Westminster* and in *Dublin* for the Infringement of Letters Patent, it shall be lawful for the Court in which such Action is pending, if the Court be then sitting, or if the Court be not sitting then for a Judge of such Court, on the Application of the Plaintiff or Defendant respectively, to make such Order for an Injunction, Inspection, or Account, and to give such Direction respecting such Action, Injunction, Inspection, and Account, and the Proceedings therein respectively, as to such Court or Judge may seem fit.

Particulars to be regarded in Taxation of Costs.

XLIII. In taxing the Costs in any Action in any of Her Majesty's Superior Courts at *Westminster* or in *Dublin*, commenced after the passing of this Act for infringing Letters Patent regard shall be had to the Particulars delivered in such Action, and the Plaintiff and Defendant respectively shall not be allowed any Costs in respect of any Particular unless certified by the Judge before whom the Trial was had to have been proved by such Plaintiff or Defendant respectively, without regard to the general Costs of the Cause; and it shall be lawful for the Judge before whom any such Action shall

shall be tried to certify on the Record that the Validity of the Letters Patent in the Declaration mentioned came in question; and the Record, with such Certificate, being given in Evidence in any Suit or Action for infringing the said Letters Patent, or in any Proceeding by Scire facias to repeal the Letters Patent, shall entitle the Plaintiff in any such Suit or Action, or the Defendant in such Proceeding by Scire facias on obtaining a Decree, Decretal Order or final Judgment, to his full Costs, Charges, and Expenses, taxed as between Attorney and Client, unless the Judge making such Decree or Order, or the Judge trying such Action or Proceeding, shall certify that the Plaintiff or Defendant respectively ought not to have such full Costs: Provided always, that nothing herein contained shall affect the Jurisdiction and Forms of Process of the Courts in *Scotland* in any Action for the Infringement of Letters Patent or in any Action or Proceeding respecting Letters Patent hitherto competent to the said Courts: Provided also, that when any Proceedings shall require to be taken in *Scotland* to repeal any Letters Patent, such Proceedings shall be taken in the Form of an Action of Reduction at the Instance of Her Majesty's Advocate, or at the Instance of any other Party having Interest with Concurrence of Her Majesty's Advocate, which Concurrence Her Majesty's Advocate is authorized and empowered to give upon just Cause shown only.

XLIV. There shall be paid in respect of Letters Patent applied for or issued as herein mentioned, the filing of Specifications and Disclaimers, Certificates, Entries, and Searches, and other Matters and Things mentioned in the Schedule to this Act, such Fees as are mentioned in the said Schedule; and there shall be paid unto and for the Use of Her Majesty, Her Heirs and Successors, for or in respect of the Warrants and Certificates mentioned in the said Schedule, or the Vellum, Parchment, or Paper on which the same respectively are written, the Stamp Duties mentioned in the said Schedule; and no other Stamp Duties shall be levied, or Fees, except as herein-after mentioned, taken in respect to such Letters Patent and Specifications, and the Matters and Things in such Schedule mentioned.

XLV. The Stamp Duties hereby granted shall be under the Care and Management of the Commissioners of Inland Revenue; and the several Rules, Regulations, Provisions, Penalties, Clauses, and Matters contained in any Act now or hereafter to be in force with reference to Stamp Duties shall be applicable thereto.

Payments
and Stamp
Duties on
Letters
Patent
to be as in
Schedule.

Duties to
be under
Manag-
ement of
Commis-
sioners of
Inland
Revenue.

XLVI. The

All Monies
received to
be paid to
the Con-
solidated
Fund.

XLVI. The Fees to be paid as aforesaid shall from Time to Time be paid into the Receipt of the Exchequer, and be carried to and made Part of the Consolidated Fund of the United Kingdom.

Not to pre-
vent Pay-
ment of
Fees to
Law Offi-
cers in
Cases of
Opposi-
tion, &c.

XLVII. Provided always, That nothing herein contained shall prevent the Payment as heretofore to the Law Officers in Cases of Opposition to the granting of Letters Patent, and in Cases of Disclaimers and Memoranda of Alterations, of such Fees as may be appointed by the Lord Chancellor and Master of the Rolls as the Fee, to be paid on the hearing of such Oppositions, and in the Case of Disclaimers and Memoranda of Alterations respectively, or of such reasonable Sums for Office or other Copies of Documents in the Office of the Commissioners, as the Commissioners may from Time to Time appoint to be paid for such Copies, and the Lord Chancellor and Master of the Rolls, and the Commissioners, are hereby respectively authorized and empowered to appoint the Fees to be so paid in respect of such Oppositions, Disclaimers, and Memoranda of Alterations respectively, and for such Office or other Copies.

Fees and
Salaries of
Officers.

XLVIII. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to allow such Fees to the Law Officers and their Clerks (for Duties under this Act in respect of which Fees may not be payable to them under the Provisions lastly herein-before contained) as the Lord Chancellor and Master of the Rolls may from Time to Time appoint, and to allow such Salaries and Payments to any Clerks and Officers to be appointed under this Act, and such additional Salaries and Payments to any other Clerks and Officers in respect of any additional Duties imposed on them by this Act, as the said Commissioners of the Treasury may think fit.

Sums for
defraying
Salaries
and Ex-
penses
under this
Act to be
paid out
of Monies
to be pro-
vided by
Parlia-
ment.

XLIX. It shall be lawful for the Commissioners of Her Majesty's Treasury to allow from Time to Time the necessary Sums for providing Offices under this Act, and for the Fees, Salaries, and Payments allowed by them as aforesaid, and for defraying the current and incidental Expenses of such Office or Offices; and the Sums to be so allowed shall be paid out of such Monies as may be provided by Parliament for that Purpose.

Power to
Treasury
to grant
Compensa-
tion to
Persons
affected by
this Act.

L. And whereas divers Persons by virtue of their Offices or Appointments are entitled to Fees or Charges payable in respect of Letters Patent as heretofore granted within the United Kingdom of *Great Britain* and *Ireland*, or have and derive in respect of such Letters Patent, or the Procedure for the granting thereof, Fees or other Emoluments or Advantages:

It

It shall be lawful for the said Commissioners of the Treasury to grant to any such Persons who may sustain any Loss of Fees, Emoluments, or Advantages by reason of the passing of this Act, such Compensation as, having regard to the Tenure and Nature of their respective Offices and Appointments, such Commissioners deem just and proper to be awarded; and all such Compensations shall be paid out of such Monies as may be provided by Parliament for that Purpose: Provided always, that in case any Person to whom any yearly Sum by way of Compensation shall be awarded and paid shall, after the passing of this Act, be appointed to any Office or Place of Emolument under the Provisions of this Act, or in the Public Service, then and in every such Case the Amount of such yearly Sum shall in every Year be diminished by so much as the Emoluments of such Person for such Year from such Office or Place shall amount to, and Provision in that Behalf shall be made in the Award to him of such yearly Sum.

LI. An Account of all Salaries, Fees, Allowances, Sums, and Compensations to be appointed, allowed, or granted under this Act shall, within Fourteen Days next after the same shall be so appointed, allowed, or granted respectively, be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, then within Fourteen Days after the next Meeting of Parliament.

LII. Letters Patent may be granted in respect of Applications made before the Commencement of this Act, in like Manner and subject to the same Provisions as if this Act had not been passed.

LIII. Where Letters Patent for *England* or *Scotland* or *Ireland* have been granted before the Commencement of this Act, or are in respect of any Application made before the Commencement of this Act hereafter granted for any Invention, Letters Patent for *England* or *Scotland* or *Ireland* may be granted for such Invention in like Manner as if this Act had not been passed: Provided always, that in lieu of all the Fees or Payments and Stamp Duties now payable in respect of such Letters Patent, or in or about obtaining a Grant thereof, there shall be paid in respect of such Letters Patent for *England* or *Scotland* or *Ireland* on the sealing of such respective Letters Patent a Sum equal to One Third Part of the Fees and Stamp Duties which would be payable according to the Schedule to this Act in respect of Letters Patent issued for the United Kingdom under this Act, on or previously to the sealing of such Letters Patent; and at or before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by such Letters Patent for *England* or *Scotland*

Account of Salaries, Fees, and Compensation Allowances to be laid before Parliament.

Not to extend to Patents applied for before Commencement of Act.

As to Letters Patent granted before Commencement of this Act for *England*, *Scotland*, or *Ireland*.

or *Ireland*, Sums equal to One Third Part of the Fees and Stamp Duties payable at the Expiration of the Third Year and the Seventh Year respectively of the Term granted by Letters Patent issued for the United Kingdom under this Act; and the Condition of such Letters Patent for *England* or *Scotland* or *Ireland* shall be varied accordingly; and such Fees shall be paid to such Persons as the Commissioners of Her Majesty's Treasury shall appoint, and shall be carried to and form Part of the said Consolidated Fund.

Forms in
Schedule
may be
used.

LIV. The several Forms in the Schedule to this Act may be used for and in respect of the several Matters therein mentioned, and the Commissioners may, where they think fit, vary such Forms as Occasion may require, and cause to be printed and circulated such other Forms as they may think fit to be used for the Purposes of this Act.

Interpre-
tation of
Terms.

LV. In the Construction of this Act the following Expressions shall have the Meanings hereby assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,)

The Expression "Lord Chancellor" shall mean the Lord Chancellor, or Lord Keeper of the Great Seal, or Lords Commissioners of the Great Seal:

The Expression "The Commissioners" shall mean the Commissioners for the Time being acting in execution of this Act:

The Expression "Law Officer" shall mean Her Majesty's Attorney General or Solicitor General for the Time being for *England*, or the Lord Advocate, or Her Majesty's Solicitor General for the Time being for *Scotland*, or Her Majesty's Attorney General or Solicitor General for the Time being for *Ireland*:

The Expression "Invention" shall mean any Manner of new Manufacture the Subject of Letters Patent and Grant of Privilege within the Meaning of the Act of the Twenty-first Year of the Reign of King *James* the First, Chapter Three:

The Expressions "Petition," "Declaration," "Provisional Specification," "Warrant," and "Letters Patent," respectively, shall mean Instruments in the Form and to the Effect in the Schedule hereto annexed, subject to such Alterations as may from Time to Time be made therein under the Powers and Provisions of this Act.

Short
Title.

LVI. In citing this Act in other Acts of Parliament, Instruments, and Proceedings, it shall be sufficient to use the Expression "The Patent Law Amendment Act, 1852."

Commence-
ment of
Act.

LVII. This Act shall commence and take effect from the First Day of *October* One thousand eight hundred and fifty-two.

The SCHEDULE

The SCHEDULE to which this Act refers.

FEES TO BE PAID.

	£	s.	d.
On leaving Petition for Grant of Letters Patent .	5	0	0
On Notice of Intention to proceed with the Application	5	0	0
On sealing of Letters Patent	5	0	0
On filing Specification	5	0	0
At or before the Expiration of the Third Year .	40	0	0
At or before the Expiration of the Seventh Year .	80	0	0
On leaving Notice of Objections	2	0	0
Every Search and Inspection	0	1	0
Entry of Assignment or Licence	0	5	0
Certificate of Assignment or Licence	0	5	0
Filing Application for Disclaimer	5	0	0
Caveat against Disclaimer	2	0	0

STAMP DUTIES TO BE PAID.

On Warrant of Law Officer for Letters Patent .	5	0	0
On Certificate of Payment of the Fee payable at or before the Expiration of the Third Year .	10	0	0
On Certificate of Payment of the Fee payable at or before the Expiration of the Seventh Year .	20	0	0

FORMS.

No.

PETITION.

To the Queen's most Excellent Majesty.

The humble Petition of *[here insert Name and Address of Petitioner]* for, &c.

Showeth,

That Your Petitioner is in Possession of an Invention for
[*the Title of the Invention,*]which Invention he believes will be of great public Utility ;
that he is the true and first Inventor thereof; and that the
same

PROVISIONAL SPECIFICATION.

No.

I do hereby declare the Nature of the
said Invention for

[*insert Title as in Petition,*]

to be as follows :

[*here insert Description.*]

Dated this

Day of

A. D.

(*To be signed by Applicant or his Agent.*)

REFERENCE.

(*To be endorsed on the Petition.*)

Her Majesty is pleased to refer this Petition to
to consider what may be properly done therein.

Clerk of the Commissioners.

WARRANT.

In humble Obedience to Her Majesty's Command referring
to me the Petition of of , to
consider what may be properly done therein, I do hereby cer-
tify as follows ; That the said Petition sets forth that the
Petitioner

[*Allegations of the Petition.*]

And the Petitioner most humbly prays,

[*Prayer of the Petition.*]

That in support of the Allegations contained in the said
Petition the Declaration of the Petitioner has been laid before
me, whereby he solemnly declares, that

[*Allegations of the Declaration.*]

That there has also been laid before me [a Provisional
Specification signed , and also a Certificate

,] or [a complete Specification, and a
Certificate of the filing thereof,] whereby it appears that the
said Invention was provisionally protected [or protected] from
the Day of A. D.

in pursuance of the Statute :

That it appears that the said Application was duly adver-
tised :

Upon consideration of all the Matters aforesaid, and as it is
entirely

entirely at the Hazard of the said Petitioner whether the said Invention is new or will have the desired Success, and as it may be reasonable for Her Majesty to encourage all Arts and Inventions which may be for the Public Good, I am of opinion, that Her Majesty may grant Her Royal Letters Patent unto the Petitioner, his Executors, Administrators, and Assigns, for his said Invention within the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any.*] for the Term of Fourteen Years, according to the Statute in that Case made and provided, if Her Majesty shall be graciously pleased so to do, to the Tenor and Effect following :

[*See next Form.*]

Given under my Hand, this Day of A.D.



LETTERS PATENT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith ; To all to whom these Presents shall come greeting :

Whereas hath by his Petition humbly represented unto Us that he is in possession of an Invention for , which the Petitioner conceives will be of great public Utility ; that he is the true and first Inventor thereof ; and that the same is not in use by any other Person or Persons, to the best of his Knowledge and Belief : The Petitioner therefore most humbly prayed that We would be graciously pleased to grant unto him, his Executors, Administrators, and Assigns, Our Royal Letters Patent for the sole Use, Benefit, and Advantage of his said Invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any.*] for the Term of Fourteen Years pursuant to the Statutes in that Case made and provided :

[And whereas the said hath particularly described and ascertained the Nature of the said Invention, and in what Manner the same is to be performed, by an Instrument in Writing under his Hand and Seal, and has caused the same to be duly filed in :]

And

And We, being willing to give Encouragement to all Arts and Inventions which may be for the Public Good, are graciously pleased to condescend to the Petitioner's Request: Know ye, therefore, that We, of Our especial Grace, certain Knowledge, and mere Motion, have given and granted, and by these Presents, for Us, our Heirs and Successors, do give and grant unto the said _____, his Executors, Administrators, and Assigns, our especial Licence, full Power, sole Privilege, and Authority that he the said _____, his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his and their Deputy or Deputies, Servants or Agents, or such others as he the said _____, his Executors, Administrators, or Assigns, shall at any Time agree with, and no others, from Time to Time and at all Times hereafter during the Term of Years herein expressed, shall and lawfully may make, use, exercise, and vend his said Invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, in such Manner as to him the said _____, his Executors, Administrators, and Assigns, or any of them, shall in his or their Discretion seem meet; and that he the said _____, his Executors, Administrators, and Assigns, shall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage from Time to Time coming, growing, accruing, and arising by reason of the said Invention, for and during the Term of Years herein mentioned; to have, hold, exercise, and enjoy the said Licences, Powers, Privileges, and Advantages herein-before granted or mentioned to be granted unto the said _____, his Executors, Administrators, and Assigns, for and during and unto the full End and Term of Fourteen Years from the _____ Day of _____ A.D. _____ next and immediately ensuing, according to the Statute in such Case made and provided; and to the End that he the said _____, his Executors, Administrators, and Assigns, and every of them, may have and enjoy the full Benefit and the sole Use and Exercise of the said Invention, according to Our gracious Intention herein-before declared, We do by these Presents, for Us, Our Heirs and Successors, require and strictly command all and every Person and Persons, Bodies Politic and Corporate, and all other Our Subjects whatsoever, of what Estate, Quality, Degree, Name, or Condition soever they be, within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any,*] that neither they nor any of them, at any Time during the Continuance of the said Term of Fourteen Years hereby granted, either directly or indirectly do
make,

make, use, or put in practice the said Invention, or any Part of the same, so attained unto by the said as aforesaid, nor in anywise counterfeit, imitate, or resemble the same, nor shall make or cause to be made any Addition thereunto, or Subtraction from the same, whereby to pretend himself or themselves the Inventor or Inventors, Devisor or Devisors thereof, without the Consent, Licence, or Agreement of the said

, his Executors, Administrators, or Assigns, in Writing under his or their Hands and Seals first had and obtained in that Behalf, upon such Pains and Penalties as can or may be justly inflicted on such Offenders for their Contempt of this Our Royal Command, and further to be answerable to the said

, his Executors, Administrators, and Assigns, according to Law, for his and their Damages thereby occasioned: And moreover We do by these Presents, for Us, Our Heirs and Successors, will and command all and singular the Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables, Headboroughs, and all other Officers and Ministers whatsoever of Us, Our Heirs and Successors, for the Time being, that they or any of them do not nor shall at any Time during the said Term hereby granted in anywise molest, trouble, or hinder the said

, his Executors, Administrators, or Assigns, or any of them, or his or their Deputies, Servants, or Agents, in or about the due and lawful Use or Exercise of the aforesaid Invention, or anything relating thereto: Provided always, and these Our Letters Patent are and shall be upon this Condition, that if at any Time during the said Term hereby granted it shall be made appear to Us, Our Heirs, or Successors, or any Six or more of Our or their Privy Council, that this Our Grant is contrary to Law, or prejudicial or inconvenient to Our Subjects in general, or that the said Invention is not a new Invention as to the public Use and Exercise thereof, or that the said

is not the true and first Inventor thereof within this Realm as aforesaid, these Our Letters Patent shall forthwith cease, determine, and be utterly void to all Intents and Purposes, anything herein-before contained to the contrary thereof in anywise notwithstanding: Provided also, that these Our Letters Patent, or anything herein contained, shall not extend or be construed to extend to give Privilege unto the said

, his Executors, Administrators, or Assigns, or any of them, to use or imitate any Invention or Work whatsoever which hath heretofore been found out or invented by any other of Our Subjects whatsoever, and publicly used or exercised, unto whom Our like Letters Patent or Privileges have been already granted for the sole Use, Exercise, and Benefit thereof: It being Our Will and Pleasure that the said

, his
Executors,

Executors, Administrators, and Assigns, and all and every other Person and Persons to whom like Letters Patent or Privileges have been already granted as aforesaid, shall distinctly use and practise their several Inventions by them invented and found out, according to the true Intent and Meaning of the same respective Letters Patent and of these Presents: Provided likewise nevertheless, and these Our Letters Patent are upon this express Condition, [that if the said
shall not particularly describe and ascertain the Nature of his said Invention, and in what Manner the same is to be performed, by an Instrument in Writing under his Hand and Seal, and caused the same to be filed in within

Calendar Months next and immediately after the Date of these Our Letters Patent ;] [and also if the said Instrument in Writing filed as aforesaid does not particularly describe and ascertain the Nature of the said Invention, and in what Manner the same is to be performed ;] and also if the said
his Executors, Administrators, or Assigns, shall not pay or cause to be paid at the Office of Our Commissioners of Patents for Inventions the Sums following, that is to say, the Sum of Pounds on or before the Day of

A.D. , and the Stamp Duty payable in respect of the Certificate of such Payment, and the Sum of Pounds on or before the Day of

A.D. , and the Stamp Duty payable in respect of the Certificate of such Payment ; and also if the said
his Executors, Administrators, or Assigns, shall not supply or cause to be supplied for Our Service all such Articles of the said Invention as he or they shall be required to supply by the Officers or Commissioners administering the Department of Our Service for the Use of which the same shall be required, in such Manner, at such Times, and at and upon such reasonable Prices and Terms as shall be settled for that Purpose by the said Officers or Commissioners requiring the same ; that then and in any of the said Cases these Our Letters Patent, and all Liberties and Advantages whatsoever hereby granted, shall utterly cease, determine, and become void, anything herein-before contained to the contrary thereof in anywise notwithstanding : Provided that nothing herein contained shall prevent the granting of Licences in such Manner and for such Considerations as they may by Law be granted ; And lastly We do by these Presents, for Us, Our Heirs and Successors, grant unto the said , his Executors, Administrators, and Assigns, that these Our Letters Patent, or the filing thereof, shall be in and by all things good, firm, valid, sufficient, and effectual in the Law according to the

the true Intent and Meaning thereof, and shall be taken, construed, and adjudged in the most favourable and beneficial Sense for the best Advantage of the said _____, his Executors, Administrators, and Assigns, as well in all Our Courts of Record as elsewhere, and by all and singular the Officers and Ministers whatsoever of Us, Our Heirs and Successors, in Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any*], and amongst all and every the Subjects of Us, Our Heirs and Successors, whatsoever and wheresoever, notwithstanding the not full and certain describing the Nature or Quality of the said Invention, or of the Materials thereunto conducing and belonging. In witness whereof We have caused these Our Letters to be made Patent, this _____ Day of _____ A.D. _____ and to be sealed and bear Date as of the said _____ Day of _____ A.D. _____, in the _____ Year of our Reign.

SPECIFICATION.

To all to whom these Presents shall come ;
 I _____ of _____ send greeting :
 Whereas Her most Excellent Majesty Queen Victoria, by Her Letters Patent bearing Date the _____ Day of _____ A.D. _____, in the _____ Year of Her Reign, did for Herself, Her Heirs and Successors, give and grant unto me the said _____ Her special Licence that I the said _____, my Executors, Administrators, and Assigns, or such others as I the said _____, my Executors, Administrators, and Assigns, should at any Time agree with, and no others, from Time to Time and at all Times thereafter during the Term therein expressed, should and lawfully might make, use, exercise, and vend, within the United Kingdom of Great Britain and Ireland, the Channel Islands and Isle of Man, [*Colonies to be mentioned, if any,*] an Invention for _____ [*insert Title as in Letters Patent*] upon the Condition (amongst others) that I the said _____, by an Instrument in Writing under my Hand and Seal, should particularly describe and ascertain the Nature of the said Invention, and in what Manner the same was to be performed, and cause the same to be filed in _____ within _____ Calendar Months next and immediately after the Date of the said Letters Patent: Now know ye, that I the said _____ do hereby declare the Nature of my said Invention, and in what Manner the same is to be performed, to be particularly described and _____ ascertained

ascertained in and by the following Statement ; (that is to say,)

[*describe the Invention.*]

In witness whereof I the said *A.B.* have heretofore set my
Hand and Seal, this Day of A.D.

A.B.

CAP. LXXXIV.

An Act to make better Provision respecting the Supply of Water to the Metropolis.—[1st July 1852.]

CAP. LXXXV.

An Act to amend the Laws concerning the Burial of the Dead in the Metropolis.—[1st July 1852.]

CAP. LXXXVI.

An Act to amend the Practice and Course of Proceeding in the High Court of Chancery.—[1st July 1852.]

CAP. LXXXVII.

An Act for the Relief of the Suitors of the High Court of Chancery.—[1st July 1852.]

CAP. LXXXVIII.

An Act to remove Doubts as to the Constitution of the Bishopric of Christchurch in New Zealand, and to enable Her Majesty to constitute such Bishopric, and to subdivide the Diocese of New Zealand.—[1st July 1852.]

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED,

Passed in the FIFTH Session of the FIFTEENTH Parliament of the United Kingdom of *Great Britain and Ireland*.

15° & 16° VICT.

- i. AN Act for Repealing the Act relating to "The *Mansfield* Gaslight Company," and for conferring upon the Company further and additional Powers; and for other Purposes.
- ii. An Act for the Incorporation, Establishment, and Regulation of the "Patent Solid Sewage Manure Company," and for enabling the said Company to purchase and work Letters Patent.
- iii. An Act for establishing a Public Library, Museum, and Gallery of Arts at *Liverpool*, and to make Provision for the Reception of a Collection of Specimens illustrative of Natural History, presented by the Earl of *Derby* for the Benefit of the Inhabitants of the Borough of *Liverpool*, and the Neighbourhood thereof, and others resorting thereto.
- iv. An Act for repealing the *Wolverhampton* Gas Act, 1847, and for re-constituting the Company with additional Powers; and for other Purposes.
- v. An Act to amend an Act for draining certain Fen Lands and Low Grounds in the Parish of *Yarley* in the County of *Huntingdon*, and to remove certain Doubts, and facilitate the Execution of the said Act.
- vi. An Act for providing a covered Market in the Borough of *Scarborough* in the County of *York*, for improving the Approaches thereto, for removing the present Market, and for regulating the Markets and Fairs in such Borough.
- vii. An Act for enabling the Company of Proprietors of the *East London* Waterworks to raise a further Sum of Money; and for other Purposes.
- viii. An Act to repeal the *Barnsley* Gas Act, and to make other Provisions in lieu thereof, and to authorize the raising of a further Sum of Money.
- ix. An

- ix. An Act to extend the Powers of the Act relating to the *Yeovil* Branch of the *Bristol and Exeter* Railway, and to authorize a Deviation in the Line of such Branch Railway.
- x. An Act for the Improvement of the Municipal Borough of *Macclesfield*.
- xi. An Act for providing a convenient Place or Fair Green, with proper Approaches thereto, for holding Fairs for the Sale of Cattle and other Animals, Wool, and Flax, in the Province of *Munster* at or near the City of *Limerick*, and for regulating such Fairs.
- xii. An Act for improving, diverting, and maintaining as Turnpike the Road leading from *Skipton* to *Craco*, in the Parish of *Burnsal*, all in the West Riding of the County of *York*.
- xiii. An Act to authorize the *Portsea Island* Gaslight Company to raise a further Sum of Money.
- xiv. An Act for better lighting with Gas the Borough of *Derby* and its Neighbourhood, and for other Purposes.
- xv. An Act to repeal *An Act for lighting with Gas the Town of Belfast and the Suburbs thereof*, and to make other Provisions for that Purpose.
- xvi. An Act to enable the *Vale of Neath* Railway Company to construct certain Extensions of their Lines of Railway, and for other Purposes.
- xvii. An Act to repeal an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for amending, improving, and maintaining the Road from Lockwood to Meltham, and the Branch of Road to Meltham Mills, all in the Parish of Almondbury in the West Riding of the County of York*, and for the widening and better maintaining and repairing the said Road, and for other Purposes.
- xviii. An Act for the Extension of the Boundaries of the Municipal Borough of *Stockton* in the County of *Durham*; and for transferring to the Corporation of the said Borough the Properties and Effects now vested in certain Commissioners having Jurisdiction in the Township of *Stockton*; and to provide for the better draining, cleansing, paving, watching, lighting, and otherwise improving the said Borough.
- xix. An Act for increasing the Capital of the *Stockton and Darlington* Railway Company, and for other Purposes.
- xx. An Act for the Establishment of a new Market in *Barnstaple*, and for the Improvement and Regulation of the existing Markets and Fairs therein.
- xxi. An

- xxi. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Newport* in the *Isle of Wight* to raise Monies for the Improvement of the Navigation of the River *Medina*, within the Borough, and to alter and amend certain ancient Tolls and Duties payable to the said Mayor, Aldermen, and Burgesses.
- xxii. An Act for making a Canal from the *Droitwich* Canal at *Droitwich* in the County of *Worcester*, to join the *Worcester and Birmingham* Canal at or near *Hanbury Wharf* in the Parish of *Hanbury* in the same County, and to be called "The *Droitwich Junction* Canal."
- xxiii. An Act for supplying the Inhabitants of the Township of *Ilkley* in the West Riding of the County of *York* with Water.
- xxiv. An Act for reviving and continuing the Powers granted by "The *Great Southern and Western Railway (Ireland)* Extension, *Portarlinton* to *Tullamore*. Act. 1847," for the compulsory Purchase of Lands and Completion of Works.
- xxv. An Act for defining and regulating the Capital of the *Norfolk* Railway Company, and for authorizing Arrangements with the *Halesworth, Beccles, and Huddiscoe* Railway Company, and for other Purposes.
- xxvi. An Act for enabling the *Dudley* Waterworks Company to raise a further Sum of Money, and for amending the Provisions of the Act relating to such Company.
- xxvii. An Act for better supplying with Water the Boroughs of *Sunderland* and *South Shields* and other Places in the County of *Durham*.
- xxviii. An Act for establishing a Market and for providing a Market House and Slaughter-houses at *Aberdare* in the County of *Glamorgan*.
- xxix. An Act to amend an Act passed in the Seventh Year of the Reign of Her Majesty Queen *Victoria*, for inclosing Lands in the Hamlet of *Thetford* in the *Isle of Ely*, and for draining certain Lands in the said Hamlet and in other Parishes in the said Isle, so far as relates to such draining.
- xxx. An Act to enable the *Eastern Counties* Railway Company to construct a Railway to the River *Nene* or *Wisbech River* below *Wisbech*, in lieu of a Portion of the Railway authorized by "The *Wisbech, St Ives, and Cambridge Junction* Railway Act, 1846," and to erect Warehouses in connection with such Railway; and for other Purposes.
- xxxi. An Act to amend an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to enable the Magistrates of the County Palatine of Chester to appoint Special High Constables for the several Hundreds*

Hundreds or Divisions, and Assistant Petty Constables for the several Townships of that County.

- xxxii. An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Township of *Rhyl* in the County of *Flint*, for making a Cemetery, and for establishing and regulating a Market and Market Places therein.
- xxxiii. An Act to enable the *Eastern Counties* Railway Company to construct Branch Railways to the *East and West India Docks and Birmingham Junction* Railway, and to enlarge and improve their Goods Station in the Parish of *Saint Matthew Bethnal Green*; and for other Purposes.
- xxxiv. An Act for the Dissolution of the "*Union Arcade Company*" (*Glasgow*), and for the Abandonment of the Undertaking.
- xxxv. An Act to enable the *Cork and Bandon* Railway Company to raise further Capital, and to make Arrangements with respect to their present Capital and Mortgage Debt; and for other Purposes.
- xxxvi. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to make a Deviation in the Line of their *Thirsk and Malton* Branch; and to enable the *Malton and Driffield Junction* Railway Company to subscribe towards and enter into Agreements with respect to the said Branch; and for other Purposes.
- xxxvii. An Act for enabling the *Malton and Driffield Junction* Railway Company to subscribe towards the Construction of the *Thirsk and Malton* Branch of the *York, Newcastle, and Berwick* Railway, and to make Arrangements as to their Capital; and for other Purposes.
- xxxviii. An Act to amend and extend the Provisions of the Act relating to "*The London and Southampton Turnpike Road through Bishops Waltham*," and to create a further Term therein; and for other Purposes.
- xxxix. An Act to repeal the Act for more effectually repairing the Road leading from the *High Street* in the Town of *Arundel* in the County of *Sussex* to the Turnpike Road leading from *Petworth* to *Stopham* on *Fittleworth Common* in the said County, and to make other Provisions in lieu thereof.
- xl. An Act for managing and repairing the Turnpike Road leading from the Eastern side of a certain Bridge called *Spittle Hill Bridge* over *Moorgate Beck* in the Parish of *Clarborough* in the County of *Nottingham* to *Littleborough Ferry* in the same County.
- xli. An Act to amend the Acts relating to the *Dundalk and Enniskillen*

- Enniskillen* Railway, and to extend the same from *Ballybay* to *Enniskillen*.
- xlii. An Act for incorporating the *Deptford* Gaslight and Coke Company.
- xliii. An Act to consolidate and amend the Acts relating to the *Londonderry and Coleraine* Railway Company; and to authorize the said Company to contribute towards the Construction of a new Bridge over the River *Foyle* and other Works at *Londonderry*.
- xliv. An Act to consolidate and amend the Acts relating to the *Londonderry and Enniskillen* Railway Company, and to grant further Powers to the said Company for the Extension and Completion of the Railway, and for other Purposes.
- xlv. An Act to amend the Acts relating to the *Forth and Clyde* Navigation, to alter the Place of Meeting, and to make further Provision for the Management of the Affairs of the Company of Proprietors of the said Navigation.
- xlvi. An Act to enable *Cory Charles Elwes* Esquire to construct Waterworks for the Supply of Water to *Glamford Briggs* and the Neighbourhood thereof in *Lincolnshire*.
- xlvi. An Act for further amending the Local and Personal Acts, Ninth and Tenth of *Victoria*, Chapter One hundred and twenty-seven, and Tenth and Eleventh of *Victoria*, Chapter Two hundred and sixty-one, relating to the *Liverpool* Corporation Waterworks; and for authorizing Deviations, and the Construction of Reservoirs; and for other Purposes.
- xlviii. An Act for incorporating the *Aberdeen* Fire and Life Assurance Company, by the Name of "The *Scottish* Provincial Assurance Company;" for enabling the said Company to sue and be sued, and to take and hold Property; and for other Purposes relating to the said Company.
- xlix. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Sheffield* to make certain Bridges over the River *Dun*, Roads, Streets, and other Works, all within the Borough of *Sheffield*.
- i. An Act for better paving, draining, lighting, cleansing, supplying with Water, regulating in regard to Markets, Interments, Hackney Carriages, and other Purposes, and otherwise improving the Borough of *Cheltenham* in the County of *Gloucester*.
- li. An Act to confirm an Agreement therein mentioned between the *Eastern Counties* Railway Company and the *Newmarket* Railway Company.
- lii. An Act for repairing and managing the Roads leading from *Porthdinllaen*, by way of *Tan-y-Graig*, *Pwllheli*, *Llanystyndwyr*, and *Cerrig-y-Rhwydwr*, to or near *Capel Cerrig*,

- Cerrig*, and from *Pwllheli* aforesaid, by way of *Crugan*, to the Village of *Llanbedrog*, all in the County of *Caernarvon*.
- liii. An Act for the better Regulation of the *British Empire Mutual Life Assurance Company*; for enabling the said Company to take and hold Property; and for other Purposes relating to the said Company.
- liv. An Act for more effectually repairing the Roads leading from *Romsey* to *Stockbridge* and *Wallop*, and other Roads therein mentioned, in the County of *Southampton*.
- lv. An Act for the Establishment of a Turnpike Road from *Southam* to *Kineton*, both in the County of *Warwick*.
- lvi. An Act for the Amalgamation of the Accidental Death Insurance Company and the Railway Assurance Company, and for enabling such amalgamated Company to insure against Death or other personal Injury arising from Accident or Violence.
- lvii. An Act for amalgamating the *East and West Yorkshire Junction Railway Company* with the *York and North Midland Railway Company*, and for vesting the Undertaking of the former Company in that of the latter, and for other Purposes.
- lviii. An Act to explain and amend the Act for supplying the Burghs of *Dumfries* and *Maxwelltown* and Suburbs with Water.
- lix. An Act for continuing the Term and amending and extending the Provisions of the Acts relating to the *Haw Passage Bridge* in the County of *Gloucester*.
- lx. An Act to repeal the Acts relating to the Road from the Town of *Bedford* in the County of *Bedford* to *Kimbolton* in the County of *Huntingdon*, and to substitute other Provisions.
- lxi. An Act for enabling the *Deeside Railway Company* to alter the Line and Levels of Part of their Railway, and to abandon Parts thereof; for altering the Capital of the Company, and repealing and amending the Act relating thereto; and for other Purposes.
- lxii. An Act for constructing a Bridge across the River *Kelvin* near *Hillhead*, *Glasgow*, in the County of *Lanark*, with Approaches and Works.
- lxiii. An Act for making a Railway from *Higbbridge* to *Glastonbury* in the County of *Somerset*, to be called "The *Somerset Central Railway*;" and for other Purposes.
- lxiv. An Act for regulating the Markets and Fairs and the Tolls and Customs of the Borough of *Athlone*.
- lxv. An Act to enable The *Newmarket Railway Company* to make certain Alterations in the Levels of their Railway, and to construct a new Line of Railway between *Newmarket* in the County

- County of *Cambridge* and *Bury St. Edmunds* in the County of *Suffolk*; to alter their Capital; and for other Purposes.
- lxvi. An Act for reclaiming from the Sea certain Lands on and near the Eastern and South-eastern Coast of *Essex*.
- lxvii. An Act for supplying the Borough of *Lancaster* in the County Palatine of *Lancaster* and adjacent Places with Water, and for other Purposes.
- lxviii. An Act for better paving, lighting, watching, cleansing, and otherwise improving the Town of *Runcorn* and certain Parts of the Township of *Halton* in the County of *Chester*, for regulating the Markets therein, and for other Purposes.
- lxix. An Act for better lighting with Gas the Town of *Saint Helen's*, the Hamlet of *Hardshaw-cum-Windle*, and the several Townships of *Windle*, *Parr*, *Eccleston*, and *Sutton*, all in the Parish of *Prescot* in the County Palatine of *Lancaster*.
- lxx. An Act for better supplying with Water the Town of *Ulverston* in the County of *Lancaster*, and for other Purposes.
- lxxi. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Abbey Tintern* and *Bigsweat* Roads.
- lxxii. An Act for effecting Improvements in the City of *London*.
- lxxiii. An Act for making a Railway from the *Middlesbrough* and *Redcar* Railway near *Middlesbrough* to or near to *Guisbrough*, with Branches to the *Cleveland Hills*, and for making Arrangements with the *Stockton and Darlington Railway Company*.
- lxxiv. An Act for more effectually repairing the Road from *Sharpley* to *Houghton* in the County of *Lancaster*.
- lxxv. An Act for more effectually repairing the Road leading from *North Shields* to *Morpeth Castle*, and several Branches of Road communicating therewith, all in the County of *Northumberland*.
- lxxvi. An Act for supplying the Inhabitants of the Town of *Merthyr Tydfil* and adjacent Places with Water.
- lxxvii. An Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof.
- lxxviii. An Act for the Dissolution of the *Glasgow, Kilmar-nock, and Ardrossan* Railway Company, and the Abandonment of their Undertaking; and for other Purposes.
- lxxix. An Act to renew the Term and continue and enlarge the Powers of an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth.
intituled

intituled *An Act for more effectually repairing and improving the Road from Shillingford in the County of Oxford, through Wallingford and Pangborne, to Reading in the County of Berks, and for repairing and maintaining a Bridge over the River Thames at or near Shillingford Ferry.*

lxxx. An Act to enable the *Portrush Harbour Company* to improve the Navigation of the River *Bann* from the *Salmon Leap* at *Castleroe* above the Town of *Coleraine* to the Sea, and remove the Bar and Ford at *Bann Mouth*, and to erect a Swivel Bridge at *Coleraine*, all in the County of *London-derry*.

lxxxi. An Act for maintaining the Road from *Beach Down*, near *Battle*, to *Heathfield*, and from the Railway Station near the Town of *Robertsbridge* to *Hood's Corner*, all in the County of *Sussex*.

lxxxii. An Act for granting further Powers to the *London Gaslight Company*; and for other Purposes.

lxxxiii. An Act to empower the *Manchester, Sheffield, and Lincolnshire Railway Company* to raise a further Sum of Money; and to amend the Acts relating to the said Company.

lxxxiv. An Act to enable the *Eastern Counties and London and Blackwall Railway Companies* to construct a Railway with Branches to *Tilbury* and *Southend* in the County of *Essex*, to provide a Steam Communication to *Gravesend*; and for other Purposes.

lxxxv. An Act for more effectually repairing the Road from *Stockport* in the County Palatine of *Chester* to *Marple Bridge* in the said County; and a Branch from the said Road to or near *Thornset Gate* in the County of *Derby*.

lxxxvi. An Act to repeal the Acts and Parts of Acts relating to the *Pedmore* and *Holly Hall* Districts of Roads, and to substitute other Provisions for the same.

lxxxvii. An Act to repeal the Act for making and maintaining a Turnpike Road from *Stroud* to *Bisley*, and to make other Provisions in relation thereto.

lxxxviii. An Act to amend and extend the Provisions of the *Macclesfield and Buxton Road Act*, to create a Term of Twenty-one Years, and for other Purposes.

lxxxix. An Act for maintaining the Turnpike Road leading from *Kirkby Stephen* in the County of *Westmoreland* into the *Sedbergh and Kirkby Kendal Turnpike Road*, and out of and from the same Turnpike Road to *Hawes* in the North Riding of the County of *York*, and a Branch from *Hawes* aforesaid to the Village of *Gayle* in the Township of *Hawes*.

xc. An

- xc. An Act for maintaining in repair the Road leading from the *Lord Nelson* Public House upon the Road between *Burnley* and *Colne* in the Township of *Marsden* in the Parish of *Whalley* in the County Palatine of *Lancaster* to *Gisburne* in the West Ridding of the County of *York*; and from thence to the Road leading from *Shipton* to *Settle* at or near *Long Preston* in the said West Riding of the County of *York*.
- xc. An Act for maintaining in repair the Road from *Bury* to *Bolton* in the County Palatine of *Lancaster*.
- xcii. An Act to repeal an Act for maintaining and repairing the Turnpike Road from *Bramley* in the County of *Surrey* to *Ridgewick* in the County of *Sussex*, and to make other Provisions in lieu thereof.
- xciii. An Act to repeal the Act for repairing and maintaining the *Wakefield and Denby Dale* Turnpike Road, and to make other Provisions in lieu thereof.
- xciv. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Rotherham and Pleasley* Turnpike Road.
- xcv. An Act for making a Railway from the *Edinburgh, Perth, and Dundee* Railway at *Thornton Junction* Station to the Town of *Leven*, with Branches to *Kirkland Works*, and to the Harbour of *Leven*.
- xcvi. An Act to enable the *Lancashire and Yorkshire* and *York and North Midland* Railway Companies to enter into Arrangements as to the working and Management of Portions of their Railways.
- xcvii. An Act for more effectually repairing the Road from the Town of *Beaconsfield* to the River *Colne*, all in the County of *Buckingham*.
- xcviii. An Act for enabling the *Manchester, Buxton, Matlock, and Midlands Junction* Railway Company to lease their Undertaking to the *London and North-western* and the *Midland* Railways Companies.
- xcix. An Act to repeal an Act for repairing the Road from *Kettering* to the Town of *Northampton* in the County of *Northampton*, and to substitute other Provisions in lieu thereof.
- c. An Act to confer additional Facilities for the Insurance of Railway Passengers and other Persons by "The Railway Passengers Assurance Company."
- ci. An Act to amend an Act passed in the Fourth Year of the Reign of King *George the Fourth*, intituled *An Act for making and maintaining a Turnpike Road from Holehouse or Riding near Greenfield in Saddleworth, to join the Stayley*

- Stayley Turnpike Road, and also to join the Halifax and Sheffield Turnpike Road, all in the West Riding of the County of York; and to continue the Term thereby granted.
- cii. An Act for enabling the *Leeds Waterworks Company* to provide a better Supply of Water to the Town and Neighbourhood of *Leeds*.
- ciii. An Act for merging the Undertaking of the *Reading, Guildford, and Reigate Railway Company* in the Undertaking of the *South-eastern Railway Company*; for the Dissolution of the *Reading, Guildford, and Reigate Railway Company*; and for other Purposes.
- civ. An Act for the Establishment, Maintenance, and Management of Markets in the Borough of *Limerick*.
- cv. An Act to authorize the Conversion of the Debenture Debt of the *London and North-western Railway Company* into a Stock not exceeding Three and a Half *per Centum*; and for enlarging the Stations at *Wolverton* and *Kilburn*.
- cvi. An Act for the Construction of a new Bridge over the River *Foyle* at *Londonderry*, and Approaches thereto.
- cvi. An Act for the Formation of a new Street in the Borough of *Londonderry*.
- cvi. An Act to enable the *Eastern Counties Railway Company* to use the *East Anglian Railways*, and to empower the *Eastern Counties Railway Company* and the *East Anglian Railways Company* to enter into and carry into effect Agreements for certain Objects therein mentioned; and for other Purposes.
- cix. An Act to consolidate and amend certain of the Acts relating to the *Edinburgh and Glasgow Railway*, and to grant further Powers to the Company of Proprietors thereof.
- cx. An Act for repealing an Act of the Ninth Year of the Reign of Her present Majesty, relating to Moorings for Vessels in the River *Tyne*, and the River Police, and for transferring the Powers of the said Act to the *Tyne Improvement Commissioners*; for enabling the said Commissioners to construct and maintain Piers at the Mouth of the said River in the Counties of *Durham* and *Northumberland*, and to construct and maintain Docks and other Works on the North Side of the said River, in the last-mentioned County; and for other Purposes.
- cxi. An Act for embanking and reclaiming from the Sea the Estuary or Back Strand of *Tramore* in the County of *Waterford*.
- cxii. An Act for the Incorporation of the Society for providing

ing Annuities for the Widows and Children of Presbyterian Ministers, under the Style and Title of "The Presbyterian Widows Fund Association."

- cxiii. An Act to enable the Trustees of the *Yeovil* Turnpike Trust and the *Ilchester* Turnpike Trust to make certain new Roads, to repeal existing Acts, and create further Terms in the said Roads; and for other Purposes.
- cxiv. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to make a Deviation in the Line of their *Bishop Auckland* Branch, to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorized to be made in the County of *Darham*, and for other Purposes.
- cxv. An Act for repairing the Road from *Leek* in the County of *Stafford* to *Monyash*, and from *Middlehills* to the *Macclesfield* Turnpike Road near *Buxton* in the County of *Derby*, and thence to *Otterhol*, and certain Branches of Road communicating therewith.
- cxvi. An Act to consolidate and amend the Acts relating to the *Ipswich* Dock, to allow certain Drawbacks, and for other Purposes.
- cxvii. An Act to enable the *South Wales* Railway Company to construct new Railways to *Milford Haven* and at *Newport*, and to abandon Portions of the Lines from *Fishguard* and at *Haverfordwest*; and for other Purposes.
- cxviii. An Act for making a Railway from the *Lancashire and Yorkshire* Railway in the Township of *Bowling* near *Bradford* to the Railway belonging to the *Lancashire and Yorkshire* and *London and North-western* Railway Companies, or One of them, in the Township of *Wortley* near *Leeds*, all in the West Riding of the County of *York*, to be called The *Leeds, Bradford, and Halifax Junction* Railway, and for other Purposes.
- cxix. An Act for maintaining the Road from *Blackburn* to *Preston* and the Two Branches therefrom, and erecting a Bridge on the Line of the said Road over the River *Ribble*, all in the County Palatine of *Lancaster*.
- cxx. An Act to repeal an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road from Preston to Garstang in the County of Lancaster*; and to make other Provisions in lieu thereof.
- cxxi. An Act for making further Provision for the Conservancy of the Port and Harbour of *Belfast*, for conferring additional Powers on the *Belfast* Harbour Commissioners, and for other Purposes.

cxxii. An

- cxix. An Act for maintaining and improving the *Blyth and Tyne* Railway in the County of *Northumberland*, and for incorporating the Subscribers thereto.
- cxx. An Act to repeal the Act relating to the Road from the Town of *Kingston-upon-Thames* in the County of *Surrey* to *Sheetbridge* near *Petersfield* in the County of *Southampton*; and to make other Provisions in lieu thereof.
- cxxi. An Act for the Incorporation, Establishment, and Regulation of the *North British* Flax Company, and to enable the said Company to purchase and work certain Letters Patent.
- cxxii. An Act for incorporating and giving Powers to the *Frome, Yeovil, and Weymouth* Railway Company, and for other Purposes.
- cxxiii. An Act for enabling the *Monmouthshire* Railway and Canal Company to make certain new Railways, and for other Purposes.
- cxxiv. An Act for enabling the *York and North Midland* Railway Company to make a Railway to the *Victoria* or *East Dock* at *Hull*, and for other Purposes.
- cxxv. An Act for constituting Commissioners for the Improvement of the River *Nene* and the Navigations thereof; for the more effectual Drainage of certain Lands in the Counties of *Northampton, Huntingdon, and Cambridge*; and for other Purposes.
- cxxvi. An Act to amend an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for more effectually making, repairing, and improving certain Roads leading to and from Liskeard, and certain other Roads therein mentioned, in the Counties of Cornwall and Devon*; and for other Purposes.
- cxxvii. An Act for the Conservancy of the River *Humber*, and for amending some of the Provisions of an Act relating to the *Kingston-upon-Hull* Docks.
- cxxviii. An Act to extend and amend the Provisions of the Act relating to the *Wedmore* Turnpike Road in the County of *Somerset*, to create a further Term therein, and for other Purposes.
- cxxix. An Act for abandoning certain Parts of the Undertaking of the *Lancashire and Yorkshire* Railway Company; for constructing certain new Works, and extending the Time for Completion of existing Works; and for Sale of superfluous Lands; for regulating certain Portions of the Capital of the Company and the Application of Capital; and for authorizing the raising of Money by Annuities; and for other Purposes.

- cxviii. An Act to confer on the *Great Western Railway Company* further Powers for the Purchase of Lands on the Lines of, and for the construction of, the *Birmingham and Oxford Junction* and *Birmingham, Wolverhampton, and Dudley* Railways respectively; and for the Alteration of the Works of Part of the last-mentioned Railway; and for the Formation of an Extension Line of Railway at *Wolverhampton*; and for other Purposes.
- cxix. An Act for more effectually maintaining and keeping in repair the Road from *Cambridge* to *Ely*, and other Roads therein mentioned, in the Counties of *Cambridge* and *Norfolk*.
- cx. An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *North-western Railway Company*; for extending the Time for constructing certain Parts of their Undertaking; and granting further Powers to the said Company; and for other Purposes.
- cxvi. An Act for the Reduction of Dues on Shipping and Goods payable to the Mayor, Aldermen, and Burgesses of *Kingston-upon-Hull*, the *Hull Trinity House*, and the Dock Company at *Kingston-upon-Hull* respectively.
- cxvii. An Act to enable the *Midland Great Western Railway of Ireland Company* to make a Deviation in the authorized Line to *Longford*, and a Branch Railway to the Town of *Cavan*, and for other Purposes.
- cxviii. An Act for the better Establishment of a Market at *Torquay* in the County of *Devon*, and for other Purposes.
- cxix. An Act to repeal the Acts relating to the *Asthall and Buckland Turnpike Road*, and to make other Provisions in lieu thereof.
- cx. An Act for enabling the Completion of the *Wilts, Somersct. and Weymouth Railway* between *Frome* and *Weymouth* to be effected, and for authorizing and confirming Contracts between the *Great Western Railway Company* and the *Kennet and Avon Canal Company* and other Companies, and for other Purposes.
- cxli. An Act for incorporating *Claussen's Patent Flax Company*, and to enable the said Company to purchase and work certain Letters Patent.
- cxlii. An Act for enabling the Amalgamation of the *Stockton and Hartlepool Railway Company* and the *Hartlepool West Harbour and Dock Company*, and for authorizing the Lease or Purchase of the *Clarence Railway* by the *Stockton and Hartlepool Railway Company* or the amalgamated Company, and

and for consolidating the Acts relating to the same Companies; and for other Purposes.

cxliii. An Act for the Improvement of the Borough of *Cork*.

cxliv. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to construct certain Branch Railways.

cxlv. An Act to amend and enlarge the Powers and Provisions of the Acts relating to the *Oxford, Worcester, and Wolverhampton* Railway Company; to extend the Time for the Completion of the Works, and the Purchase of certain Lands; to authorize Deviations in the Line and Works, and the construction of certain Branches and Works; and for other Purposes.

cxlvi. An Act to authorize the *Shrewsbury and Chester* Railway Company to construct additional Branches; to purchase or hire Steam-boats; and for other Purposes.

cxlvii. An Act to revive and extend the Time for the Execution of certain Powers conferred by "The *Wycombe* Railway Act, 1846;" and for reducing the Capital of the *Wycombe* Railway Company; and for enabling the Company to enter into Arrangements with the *Great Western* Railway Company; and for other Purposes.

cxlviii. An Act for enabling the *Eastern Union* Railway Company to make Arrangements with certain of their Creditors and Shareholders, and with respect to their Capital, and for granting additional Powers to the Company; and for other Purposes.

cxlix. An Act to incorporate the *London Necropolis and National Mausoleum* Company, and to enable such Company to establish a Cemetery in the Parish of *Woking* in the County of *Surrey*, and for other Purposes.

cl. An Act for constructing a Cemetery near to *Torquay* in the County of *Devon*.

cli. An Act to repeal the *Wexford* Harbour Improvement Act, and to make new Arrangements for a more effective and expeditious Execution of a Portion of the Undertaking thereby authorized, and for other Purposes.

clii. An Act to appoint Commissioners for the Execution of certain Improvements in the Navigation of the River *Slaney*, and for other Purposes.

cliii. An Act to enable the *South Yorkshire* Railway and River *Dun* Company to transfer their Undertaking to the *Great Northern* Railway Company.

cliv. An Act to repeal the Acts relating to the *Exeter* and the *Countess Wear* Turnpike Roads, and to make other Provisions in lieu thereof, and to authorize the
Construction

- Construction of certain new Roads; and for other Purposes.
- clv. An Act for the Transfer of the Undertaking of the *British Gas Light Company* to the *Commercial Gas Company*, and for other Purposes.
- clvi. An Act for extending the *Chelsea Waterworks*, and for better supplying the City of *Westminster* and Parts adjacent with Water.
- clvii. An Act for enabling the *Grand Junction Waterworks Company* to obtain a Supply of Water from the *Thames* at *Hampton*, and to construct additional Works, and for other Purposes.
- clviii. An Act for making divers Provisions with respect to the *Southwark and Vauxhall Water Company*, for empowering that Company to execute additional Works, and for other Purposes.
- clix. An Act for enabling the Company of Proprietors of the *West Middlesex Waterworks* to obtain by Agreement a Supply of Water from the *Thames* above the Reach of the Tide, and to raise further Capital, and for other Purposes.
- clx. An Act to enable the Governor and Company of the *New River* to improve their Supply of Water; and for other Purposes.
- clxi. An Act for enabling the Local Board of Health for the Town and District of *Swansea* to construct Waterworks; and for other Purposes.
- clxii. An Act for the Conservancy, Improvement, and Regulation of the River *Tees*, the Construction of a Dock at *Stockton*, the Dissolution of the *Tees* Navigation Company, and other Purposes.
- clxiii. An Act to define and amend the Mineral Customs and to make better Provision for the Administration of Justice in the Barmote Courts within the Soke and Wapentake of *Wirksworth*, and within the Manors or Liberties of *Crich*, *Ashford*, *Stoney Middleton* and *Eyam*, *Hartington*, *Litton*, *Peak Forest*, *Tideswell*, and *Youghreave*, in the County of *Derby*.
- clxiv. An Act for making divers Provisions with respect to the *East London Waterworks Company*, for empowering that Company to execute additional Works, and for other Purposes.
- clxv. An Act to authorize the Use by the *Shrewsbury and Birmingham Railway Company* of the *Navigation Street* Station in *Birmingham*, and for other Purposes.
- clxvi. An Act for making a Railway or Tramroad from the *Aberllefenny Slate Quarries* in the Parish of *Talylllyn* in the County

County of *Merioneth* to the River *Dovey* in the Parish of *Towyn* in the same County, with Branches therefrom; and for other Purposes.

clxvii. An Act to consolidate into One Act and to amend the Provisions of the several Acts relating to the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company, to define the Undertaking of the Company, and for other Purposes.

clxviii. An Act to authorize Traffic Arrangements between the *Great Western*, the *Shrewsbury and Hereford*, and the *Hereford, Ross, and Gloucester* Railway Companies.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize the Improvement and better Management and eventual Leases or Sale of the Piece Halls in the Town of *Bradford* in the County of *York*; and to incorporate the Proprietors thereof.
2. An Act for enabling the Trustee or Trustees of the Will of the Right Honourable *Anna Maria* Dowager Lady *Wenlock* deceased to sell and dispose of a Leasehold Messuage, with the Statuary and Household Furniture by the same Will bequeathed as therein mentioned.
3. An Act to unite the *Manchester* House of Recovery with the *Manchester* Royal Infirmary, Dispensary, and Lunatic Hospital or Asylum.
4. An Act for authorizing the Sale of the *Bowden Park* Estate in the County of *Wilts*, devised and settled by the Will of *Ezekiel Harman* Esquire, deceased, and certain Codicils thereto, and for laying out the Surplus of the Money produced by such Sale, after Payment of a Mortgage affecting the same, in the Purchase of other Estates to be settled to the same Uses.
5. An Act to authorize the granting of Leases of Estates devised by the Will of *John Clarkson* Esquire, deceased, situate in the Counties of *Middlesex* and *Surrey*.

6. An

6. An Act to enable the Trustees of the Right Honourable *James Earl of Fife* deceased to sell and convey the Estate of *Balmoral* in the County of *Aberdeen* to His Royal Highness Prince *Albert of Saxe Coburg and Gotha*, and to grant Feus of Parts of the Estates vested in them.
7. An Act to explain and amend the Powers of the Governors of the Hospital in *Edinburgh* founded by *George Watson*, Merchant Burgess of *Edinburgh*.
8. An Act to enable *Francis Adams* Esquire, or other the Committee of the Estate of *Mary Slute Adams*, a Person of unsound Mind, for and in the Name and on behalf of the said *Mary Slute Adams*, to consent to the Exercise of certain Powers contained in the Marriage Settlement of the said *Francis Adams*, and in a certain Act of Parliament passed in the First Year of the Reign of Her present Majesty, and to exercise the Power of appointing new Trustees contained in the said Settlement; and for extending the Powers of Sale and Exchange contained in such Settlement.
9. An Act for enabling Leases and Sales to be made of Estates subject to the Will of *Michl Giedding* deceased, and for other Purposes, and to be called "*Giedding's Estate Act, 1852.*"
10. An Act to enable the President and Scholars of the College of *Saint Mary Magdalen* in the University of *Oxford*, as Owners in Fee of Lands at *Wandsworth* in the County of *Surrey*, to grant Building Leases; and for other Purposes.
11. An Act to incorporate the Society of the Craft of Smiths and Hammermen of the Burgh of *Aberdeen*; to confirm, amend, and regulate the Administration of the Estates and Affairs of the said Society; and for other Purposes relating to the Society.
12. An Act to authorize the Sale of the *Loth Exchange Buildings*, and the application of the Price thereof in the Extinction of Debts affecting the same; to distribute and appropriate any Balance that may arise from said Sale; and to wind up the Concern.
13. An Act to enable *John Eden Spalding* Esquire, under the Authority of the Judges of the Court of Session in *Scotland*, to raise Money by Sale or upon Security of the Estate of *Holm* and other Lands in the Stewartry of *Kirkcudbright*, for discharging certain Debts and Liabilities of the said *John Eden Spalding*; and for other Purposes.
14. An Act for the Regulation and Management of the Charity founded by *Thomas Howell* in or about the Year

One thousand five hundred and forty, and for other Purposes.

15. An Act for enabling the Trustees of the Settlement of *Cary Charles Elwes* Esquire to grant Building and other Leases of Land, and to make Improvements on the settled Estates in the County of *Lincoln*, and to purchase Water-works in the Town of *Glamford Briggs*.
16. An Act for enabling the Trustees of the settled Estates of the Right Honourable *Henry John Reuben* Earl of *Portarlington* situate in the County of *Dorset* to lay out the Monies arising under the Exercise of the Powers of Enfranchisement and Sale and Exchange contained in the Settlement of the same Estates in the Purchase of other Estates in *England, Wales, or Ireland*, in lieu of being restricted to laying out the same Monies in the Purchase of Estates in *England or Wales*, as directed by the said Settlement.
17. An Act for the Regulation of the Charity founded by *George Jarvis*, for the Benefit of the poor Inhabitants of the several Parishes of *Stanton-upon-Wye, Bredwardine, and Letton*, all in the County of *Hereford*; and for other Purposes.
18. An Act for enabling Leases, Sales, and Exchanges to be made of the Family Estates, in the County of *Southampton* of the Reverend Sir *John Barker Mill* Baronet, and for other Purposes, and to be called "*Barker Mill's Estate Act, 1852.*"
19. An Act for enabling Leases, Sales, and Exchanges to be made of the Family Estates, in the *Isle of Wight* and elsewhere in the County of *Southampton*, of *John Brown Willis Fleming* Esquire, and for other Purposes, and of which the Short Title is "*Fleming's Estate Act, 1852.*"
20. An Act to enable the Infant Tenants in Tail of the Estates in the County of *York* subject to the Will of *Thomas Thornhill* of *Fisby* in the said County, Esquire, deceased, to grant Building and other Leases of Parts of the said Estates, and to sell or exchange the same, and for other Purposes.
21. An Act for appointing and incorporating Trustees for the Management of the Boys and Girls Hospitals of *Aberdeen* as One Institution, and for vesting the Estates and Revenues thereof in such Trustees, and for better managing such Estates and Revenues, and for other Purposes connected therewith.

PRIVATE ACT.

NOT PRINTED.

22. An Act to dissolve the Marriage of *Septimus Moore Hawkins* Esquire with *Harriette Lavinia Hawkins*, his now Wife, and to enable him to marry again; and for other Purposes.

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A
COLLECTION
OF THE
PUBLIC GENERAL STATUTES
AFFECTING SCOTLAND,

PASSED IN THE
SIXTEENTH AND SEVENTEENTH YEARS

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA:

Being the FIRST SESSION of the SIXTEENTH PARLIAMENT
of the United Kingdom of *Great Britain and Ireland.*

WITH

GENERAL INDEX,

AND TABLES OF ALL THE GENERAL, LOCAL, AND PRIVATE ACTS
PASSED IN THE ABOVE SESSION.

THIRD



EDITION.

Printed by Authority of
Her Majesty's sole and only Master Printers for Scotland,
BY WILLIAM BLACKWOOD AND SONS,
EDINBURGH.
1853.

LICENCE.—In terms of Her Majesty's Letters Patent to Her Printers for Scotland, and of the Instructions issued by Her Majesty in Council, dated Eleventh July Eighteen Hundred and Thirty-nine, I hereby Licence and Authorize WILLIAM BLACKWOOD AND SONS, Printers in Edinburgh, to Print and Publish, as by the authority of Her Majesty, Acts of Parliament, Edicts, Proclamations, or other Papers printed by Royal Authority, as proposed in their Declaration, dated Twenty-sixth February Eighteen Hundred and Forty-eight: the terms and conditions of the said Instructions in this matter being always and in all points fully complied with and observed by the said WILLIAM BLACKWOOD AND SONS.
LONDON, 31st March 1848. AND. RUTHERFURD.

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THE
PUBLIC GENERAL STATUTES

[AFFECTING SCOTLAND.]

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

CAP. I.

An Act to make Provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis on the Day appointed for the Funeral of Arthur late Duke of Wellington.—[17th November 1852.]

CAP. II.

An Act to amend an Act of the First Year of King George the Fourth, for the further Prevention of forging and counterfeiting Banknotes.—[16th Dec. 1852.]

WHEREAS by an Act passed in the First Year of the
Reign of King *George the Fourth* it was enacted, that
all Bank Notes of the Governor and Company of the Bank of
England of the Description therein mentioned, whereon the

Signatures
of the Cash-
iers of the
Bank of
England
may be im-
pressed on
Notes, &c.
by Ma-
chinery
instead of
being writ-
ten, which
shall be
valid.

Names of the Persons intrusted by the Governor and Company to sign the same should be impressed by Machinery with the Authority of the said Governor and Company, should be good and valid : And whereas Doubts have arisen whether the Provisions of the said Act are not limited to Notes of the particular Description therein mentioned; Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Notes, Bank Post Bills, and Bank Bills of Exchange of the said Governor and Company, whereon the Name or Names of One of the Cashiers of the said Governor and Company for the Time being, or other Officer appointed or to be appointed by the said Governor and Company in that Behalf, shall or may be impressed or affixed by Machinery provided for that Purpose by the said Governor and Company, and with the Authority of the said Governor and Company, shall be taken to be good and valid to all Intents and Purposes as if such Notes, Bank Post Bills, and Bank Bills of Exchange had been subscribed in the proper Hand-writing of such Cashier or other Officer as aforesaid, and shall be deemed and taken to be Bank Notes, Bank Post Bills, and Bank Bills of Exchange within the Meaning of all Laws and Statutes whatsoever, and shall and may be described as Bank Notes, Bank Post Bills, and Bank Bills of Exchange respectively in all Indictments and other Criminal and Civil Proceedings whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

CAP. III.

An Act to authorize the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales.—[16th December 1852.]

CAP. IV.

An Act to amend an Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the British Colonies on the Continent of South America, in the West Indies
and

and the Mauritius, for certain Purposes.—[16th December 1852.]

CAP. V.

An Act to substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications.—[21st February 1853.]

WHEREAS it is expedient that the Fees payable in 15 & 16
 respect of Letters Patent for Inventions under the Vict. c. 83.
 Patent Law Amendment Act, 1852, and mentioned in the Schedule to such Act, be converted into Stamp Duties: Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Sections Seventeen, Forty-four, Forty-five, Forty-six, and Fifty-three of the said Patent Law Amendment Act, 1852, and so much of the Schedule to the said Act as relates to Fees and Stamp Duties to be paid under the said Act, shall be repealed. §§ 17, 44, 45, 46, and 53, and Part of Schedule of recited Act repealed.

II. All Letters Patent for Inventions to be granted under the Provisions of the said Patent Law Amendment Act, 1852, (except in the Cases provided for in the Fourth Section of this Act,) shall be made subject to the Condition that the same shall be void, and that the Powers and Privileges thereby granted shall cease and determine, at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid before the Expiration of the said Three Years and Seven Years respectively the Stamp Duties in the Schedule to this Act annexed expressed to be payable before the Expiration of the Third Year and of the Seventh Year respectively, and such Letters Patent, or a Duplicate thereof, shall be stamped with proper Stamps showing the Payment of such respective Stamp Duties, and shall, when stamped, be produced before the Expiration of such Three Years and Seven Years respectively at the Office of the Commissioners: and a Certificate of the Production of such Letters Patent or Duplicate so stamped, specifying the Date of such Production, shall be endorsed by the Clerk of the Commissioners on the Letters Patent or Duplicate, and a like Certificate

ificate shall be endorsed upon the Warrant for such Letters Patent filed in the said Office.

Stamp Duties mentioned in the Schedule to this Act to be payable.

III. There shall be paid unto and for the Use of Her Majesty, Her Heirs and Successors, for or in respect of Letters Patent applied for or issued under the Provisions of the said Patent Law Amendment Act, 1852, Warrants, Specifications, Disclaimers, Certificates, and Entries, and other Matters and Things mentioned in the Schedule to this Act, or the Vellum, Parchment, or Paper on which the same respectively are written, the Stamp Duties mentioned in the said Schedule; and no other Stamp Duties shall be levied in respect of such Letters Patent, Warrants, Specifications, Disclaimers, Certificates, Entries, Matters, and Things; and the Stamp Duty mentioned in the said Schedule on Office Copies of Documents shall be in lieu of such Sums as by the said Patent Law Amendment Act, 1852, are authorized to be appointed to be paid for such Office Copies.

As to Payment of Stamp Duties on Letters Patent for England, Scotland, or Ireland, respectively.

IV. Where Letters Patent for *England* or *Scotland* or *Ireland* have been granted before the Commencement of the said Patent Law Amendment Act, 1852, or have been since the Commencement of the said Act, or hereafter may be granted for any Invention, in respect of any Application made before the Commencement of the said Act, Letters Patent for *England* or *Scotland* or *Ireland* may be granted for such Invention in like Manner as if the said Act had not been passed: Provided always, that in lieu of all Fees or Payments and Stamp Duties which were at the time of the passing of the said Act payable in respect of such Letters Patent as last aforesaid, or in or about obtaining a Grant thereof, and in lieu of all other Stamp Duties whatsoever, there shall be paid in respect of such Letters Patent as last aforesaid on the sealing thereof Stamp Duties equal to One Third Part of the Stamp Duties which would be payable under this Act in respect of Letters Patent issued for the United Kingdom under the said Patent Law Amendment Act, 1852, on or previously to the sealing of such Letters Patent as last aforesaid, and before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by such Letters Patent for *England*, *Scotland*, or *Ireland*, Stamp Duties equal to One Third Part of the Stamp Duties payable under this Act before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by Letters Patent issued for the United Kingdom under the said Patent Law Amendment Act, 1852, and the Condition of such Letters Patent for *England* or *Scotland* or *Ireland* shall be varied accordingly.

V. The Stamp Duties hereby granted shall be under the
Care

Care and Management of the Commissioners of Inland Revenue; and the several Rules, Regulations, Provisions, Penalties, Clauses, and Matters, contained in any Act now or hereafter to be in force with reference to Stamp Duties shall be applicable thereto.

VI. The said Commissioners of Inland Revenue shall prepare Stamps impressed upon adhesive Paper, of the Amounts following, that is to say, Twopence, Fourpence, Eightpence, and One Shilling, to be used only in respect of the Stamp Duties on the Office Copies of Documents and on the Certificates of Searches and Inspections mentioned in the Schedule to this Act; such adhesive Stamps of proper Amounts to be affixed by the Clerk of the Commissioners of Patents for Inventions to such Office Copies of Documents and Certificates of Searches and Inspections as aforesaid: and immediately after such affixing he shall obliterate or deface such Stamps by impressing thereon a Seal to be provided for that Purpose, but so as not to prevent the Amount of the Stamp from being ascertained; and no such Office Copy or Certificate shall be delivered out until the Stamps thereon shall be obliterated or defaced as aforesaid.

VII. The Condition contained in any Letters Patent granted under the said Patent Law Amendment Act, 1852, and before the passing of this Act for making such Letters Patent void at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid, before the Expiration of the said Three Years and Seven Years respectively, the Sums of Money and Stamp Duties by the said Patent Law Amendment Act, 1852, required in this Behalf, shall be deemed to be satisfied and complied with by Payment of the like Stamp Duties as would have been required if such Letters Patent had been granted after the passing of this Act, and had been made subject to the Condition required by this Act in lieu of the said Condition therein contained; and the Provision herein-before contained concerning the Endorsement on the Letters Patent or Duplicate, and on the Warrant for the same Letters Patent, of a Certificate of the Production of the Letters Patent or Duplicate properly stamped, shall be applicable in the Case of such Letters Patent granted before the passing of this Act.

VIII. And whereas by the said Patent Law Amendment Act, 1852, the Commissioners are directed to cause Indexes to all Specifications heretofore or hereafter to be enrolled or deposited to be prepared in such Form as they may think fit, which Indexes are to be open to the Inspection of the Public: And whereas the existing Specifications so directed to be indexed

Duties to be under the Management of the Commissioners of Inland Revenue; who are to provide the proper Stamps for the Purpose.

Conditions of Letters Patent already granted under recited Act to be satisfied by Payment of Stamp Duties, &c. under this Act.

Power to Commissioners to purchase the Indexes of existing Specifications

pared by
Mr Wood-
croft.

indexed as aforesaid are in Number Fifteen thousand and upwards, and it would require some Years to make Indexes thereof on a proper Arrangement and Classification: And whereas Mr *Bennett Woodcroft* has already made complete Indexes of such Specifications, which the Commissioners have examined and approved of, and it is expedient that such Indexes be purchased for the Use of the Public :

It shall be lawful for the Commissioners, with the Consent of the Commissioners of Her Majesty's Treasury, to purchase the said Indexes of the said *Bennett Woodcroft* for a Sum not exceeding One thousand Pounds, and to pay the Purchase Money for the same out of the Monies in their Hands which have arisen from Fees received in respect of Letters Patent under the said Patent Law Amendment Act, 1852, and directed by the said Act to be paid into the Receipt of the Exchequer; and after the Purchase of such Indexes the Provisions of the said Act shall be applicable thereto as if such Indexes had been prepared under the said recited Enactment.

As to the
Word
"Dupli-
cate."

IX. The Word "Duplicate" shall be construed to mean in this Act such Letters Patent as may be issued under the Twenty-second Section of the Patent Law Amendment Act, 1852, in case of any Letters Patent being destroyed or lost.

This Act
and 15 &
16 Vict. c.
83. to be
construed
together.

X. This Act and the Patent Law Amendment Act, 1852, shall be construed together as One Act.

The SCHEDULE of Stamp Duties to be paid to which this Act refers.

	£	s.	d.
On Petition for Grant of Letters Patent	5	0	0
On Certificate of Record of Notice to proceed	5	0	0
On Warrant of Law Officer for Letters Patent	5	0	0
On the Sealing of Letters Patent	5	0	0
On Specification	5	0	0
On the Letters Patent, or a Duplicate thereof, before the Expiration of the Third Year	50	0	0
On the Letters Patent, or a Duplicate therefor, before the Expiration of the Seventh Year	100	0	0
On Certificate of Record of Notice of Objections	2	0	0
On Certificate of every Search and Inspection	0	1	0
On Certificate of Entry of Assignment or Licence	0	5	0
On Certificate of Assignment or Licence, ...	0	5	0
On Application for Disclaimer	5	0	0
On Caveat against Disclaimer	2	0	0
On Office Copies of Documents for every Ninety Words	0	0	2

CAP. VI.

An Act to apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and fifty-three.—[21st February 1853.]

CAP. VII.

An Act to amend an Act relating to the Valuation of rateable Property in Ireland.—[21st February 1853.]

CAP. VIII.

An Act for enabling the Commissioners of Inland Revenue to dispose of certain Property in the City of London.—[18th March 1853.]

CAP. IX.

An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.—[18th March 1853.]

CAP. X.

An Act for the regulation of Her Majesty's Royal Marine Forces while on Shore.—[18th March 1853.]

CAP. XI.

An Act to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales.—[18th March 1853.]

CAP. XII.

CAP. XII.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and fifty-three.—[18th March 1853.]

CAP. XIII.

An Act to revive certain temporary Provisions relating to the Collection of Grand Jury Cess in Ireland.—[18th March 1853.]

CAP. XIV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the time limited for those Purposes respectively.—[18th March 1853.]

CAP. XV.

An Act to limit the Time of taking the Poll in Counties at contested Elections for Knights of the Shire to serve in Parliament in England and Wales to one Day.—[18th March 1853.]

CAP. XVI.

An Act for carrying into effect the Engagement between Her Majesty and Syed Syf bin Hamood, the Chief of Sohar, in Arabia, for the more effectual Suppression of the Slave Trade.—[9th May 1853.]

CAP. XVII.

CAP. XVII.

An Act for carrying into effect the Treaty between Her Majesty and the Republic of New Granada for the Suppression of the Slave Trade.—[9th May 1853.]

CAP. XVIII.

An Act to authorize advances out of the Consolidated Fund, to discharge Monies borrowed on the Security of the Land Revenues of the Crown for the Purpose of Metropolitan Improvements, and providing for the payment of such Advances and of certain Monies charged on the London Bridge Approaches Fund.—[9th May 1853.]

CAP. XIX.

An Act to amend an Act of the Fifteenth Year of Her present Majesty, (New Forest Deer Removal,) as regards the Publication of Claims and the preferring and delivering Objections thereto.—[9th May 1853.]

CAP. XX.

An Act to alter and amend an Act of the Fifteenth Year of Her present Majesty for amending the Law of Evidence in Scotland.—[9th May 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

I. The Second Section of the Act of the Fifteenth Year of Her present Majesty, Chapter Twenty-seven, is hereby repealed.

II. So much of the First Section of the said Act as provides that "it shall not be competent to adduce as a Witness in any "Action or Proceeding any Person who shall at the Time "when he is so adduced as a Witness be acting as Agent in "the Action or Proceeding in which he is so adduced, except-

§ 2. of 15
& 16 Vict.
c. 27. re-
pealed.

So much of
§ 1. of 15
& 16 Vict.
c. 27. as to
Incompe-
tency of
Persons
who are

Agents in
Actions
being Wit-
nesses, re-
pealed.

As to Ex-
amination
of Witness-
es, whe-
ther named
in the Re-
cord or not.

This Act
not to ap-
ply to
Cases of
Adultery,
&c.

Adducing
of Party as
a Witness
not to have
Effect of
Reference
to his
Oath.

Not to af-
fect Au-
thority of
Courts as
to Judicial
Examina-
tion.

"ing in so far as the same may be competent by the existing
"Law and Practice of *Scotland*," is hereby repealed.

III. It shall be competent to adduce and examine as a
Witness in any Action or Proceeding in *Scotland* any Party
to such Action or Proceeding, or the Husband or Wife of any
Party, whether he or she shall be individually named in the
Record or Proceeding or not; but nothing herein contained
shall render any Person, or the Husband or Wife of any
Person, who in any Criminal Proceeding is charged with the
Commission of any indictable Offence, or any Offence punish-
able on summary Conviction, competent or compellable to give
Evidence for or against himself or herself, his Wife or her
Husband, excepting in so far as the same may be at present
competent by the Law and Practice of *Scotland*, or shall render
any Person compellable to answer any Question tending to
criminate himself or herself, or shall in any Proceeding render
any Husband competent or compellable to give against his
Wife Evidence of any Matter communicated by her to him
during the Marriage, or any Wife competent or compellable
to give against her Husband Evidence of any Matter com-
municated by him to her during the Marriage.

IV. Nothing herein contained shall apply to any Action,
Suit, or Proceeding instituted in *Scotland* in consequence of
Adultery, or for dissolving any Marriage, or for Breach of
Promise of Marriage, or in any Action of Declarator of Mar-
riage, Nullity of Marriage, putting to Silence, Legitimacy, or
Bastardy, or in any Action of Adherence or Separation.

V. The adducing of any Party as a Witness in any Cause
or Proceeding by the adverse Party shall not have the Effect
of a Reference to the Oath of the Party so adduced: Provided
always, that it shall not be competent to any Party who has
called and examined the opposite Party as a Witness thereafter
to refer the Cause or any Part of it to his Oath, and that in all
other respects the Right of Reference to Oath shall remain as
at present established by the Law and Practice of *Scotland*.

VI. Nothing herein contained shall alter or affect the Au-
thority or Practice of the Courts in *Scotland* as to Judicial
Examination.

CAP. XXI.

*An Act to authorize the Legislature of the Province of
Canada to make Provision concerning the Clergy
Reserves in that Province, and the Proceeds thereof.*
—[9th May 1853.]

CAP. XXII.

CAP. XXII.

An Act for making further Provision for the Execution of the Office of Examiner of the High Court of Chancery.—[9th May 1853.]

CAP. XXIII.

An Act for redeeming or commuting the Annuity payable to the South Sea Company, and certain Annuities of Three Pounds per Centum per Annum, and for creating new Annuities of Three Pounds Ten Shillings per Centum per Annum, and Two Pounds Ten Shillings per Centum per Annum, and issuing Exchequer Bonds.—[9th May 1853.]

CAP. XXIV.

An Act to confirm and extend certain Provisional Orders of the General Board of Health for the Towns of Wakefield, Elland, Wallasey, Dudley, Barnsley, Dorchester, and Welshpool.—[9th May 1853.]

CAP. XXV.

An Act for raising the Sum of Seventeen Millions seven hundred and forty-two thousand five hundred Pounds by Exchequer Bills for the Service of the Year One thousand eight hundred and fifty-three.—[13th May 1853.]

CAP. XXVI.

An Act to provide for the supplying of Vacancies in Town Councils of Burghs in Scotland consequent on null or irregular Elections.—[14th June 1853.]

WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to alter and amend the Laws for the Election* 3 & 4 W. 4. c. 76.

Election of the Magistrates and Councils of the Royal Burghs in Scotland, it is enacted, "that no Irregularity or Nullity in the Election of any Councillor or Magistrate shall in any Case after the passing of this Act annul or affect the Election of other Councillors or Magistrates not liable to the same grounds of Objection, but those particular Elections only in which such Irregularity or Nullity shall have occurred:" And whereas a like Enactment is contained in another Act of the same Years of the Reign of His said Majesty King William the Fourth, intituled *An Act to provide for the appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs*: And whereas the Evils intended to have been obviated by the said recited Enactments have not been so obviated, by reason of no Provision having been made in the said Acts for the Election of Councillors or Magistrates in room of those whose Election may have been null or irregular, and it is expedient that this Defect should be supplied: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On Elections of Councillors being found null, Warrant to be granted for new Election.

I. In all Cases in which any Election of a Councillor or Councillors in any of the Royal Burghs, Burghs, or Towns comprehended in the said recited Acts, or either of them, shall have been legally reduced or found to have been null, the Court of Session in *Scotland* in either of its Divisions shall, on the Application by Petition on the Part of any One or more of the registered Electors of such Royal Burgh, Burgh, or Town, grant Warrant for a new Election of a Councillor or Councillors in room of the Councillor or Councillors whose Election shall have been so reduced or found null, to take place on a Day to be fixed by the said Court, not sooner than Ten nor later than Fourteen Days from the Date of such Warrant, and such new Election shall thereupon proceed on the Day so fixed in the Manner provided by the said recited Acts respectively for the annual Election of Councillors in such Royal Burghs, Burghs, or Towns; and the Councillor or Councillors elected on such Day shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if they had been elected at the annual Election at which the Councillor or Councillors whose Election shall have been reduced or found to have been null were elected.

II. As soon as such Warrant shall have been granted the Principal Clerk of Session, being Clerk to the Petition on which

which it was granted, shall forthwith transmit a certified copy thereof to the Town Clerk of such Royal Burgh, Burgh, or Town, and such Town Clerk shall immediately on receipt of such certified Copy give Intimation of the Election thereby appointed by Notices to be affixed to the Door of the Parish Church or Churches in such Royal Burgh, Burgh, or Town; and the acting Provost or senior Magistrate, or, failing there being at the Time any Provost or Magistrate, One of the Councillors to be nominated by the Sheriff of the County or his Substitute, shall discharge the Duties and execute the Powers directed by the said recited Acts to be performed by the Provost or senior Magistrate at the annual Election of Councillors.

Election thereupon to proceed as at annual Election of Councillors.

III. The necessary Expenses incurred by any Elector or Electors in obtaining such Warrant for a new Election as aforesaid as the same shall be taxed by the said Court shall be recoverable by such Elector or Electors from the Treasurer of such Royal Burgh, Burgh, or Town, and when paid shall be chargeable by the Treasurer on the Funds thereof.

Expenses of Application for Warrant to be a Charge on the Funds of the Burgh.

IV. In all Cases in which the Election of a Councillor to the Office of Provost or Magistrate, or the Election of any Councillor who may have been thereafter appointed Provost or a Magistrate, shall have been legally reduced or found null, the Town Council shall at its First Ordinary Meeting thereafter, the full Number of the Council being always complete, elect a Provost or Magistrate who shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if he had been elected when the Provost or Magistrate whose Election has been reduced or found null or has fallen was elected.

On Election of Magistrate being found null, Council to elect a Magistrate.

V. It shall not be lawful nor competent to institute any Action by way of Reduction, Declarator, Suspension, or otherwise for reducing any Election of a Councillor, Provost, or Magistrate, or for having the same found null, or for interdicting any Party who may have been elected Councillor, Provost, or Magistrate from acting as such, nor to execute any Summons, nor intimate any Suspension concerning the same, after the Lapse of One Month from the Date of his Election, and all such Summonses and Suspensions executed or intimated respectively within such Month shall be deemed summary Processes, and shall have Precedence as such in the Rolls of the said Court of Session.

No Challenge of Election to be made after the Lapse of a Month.

VI. Be it enacted and declared, That the Acts and Proceedings of any such Town Council prior to the Date when the Election of any of the Councillors thereof shall have been legally set aside or found null shall be valid and effectual, notwithstanding

Actings of Council and Magistrates to be valid, notwithstanding

ing Elec-
tions being
set aside.

notwithstanding the Nullity or Irregularity of the Election of any One or more of the Councillors, and that the Actings of any Provost or Magistrate whose Election may be set aside or found null prior to its being so set aside or found null shall not be liable to Challenge in respect thereof.

CAP. XXVII.

An Act for empowering the Sheriff and Commissary of Berwickshire to hold Courts at Dunse, and for other purposes.—[14th June 1853.]

Act of Par-
liament of
Scotland,
9th Oct.
1696.

4 G. 4. c.
97.

WHEREAS by an Act passed in the Parliament of Scotland held by King William at Edinburgh the Ninth Day of October in the Year One thousand six hundred and ninety-six, intituled *Act declaring the Burgh of Greenlaw the Head Burgh of the Shire of Berwick*, His Majesty, with Advice and Consent of the Estates of Parliament, statuted, ordained, and declared the said Town of *Greenlaw* to be the Head Burgh of the Shire of *Berwick*, and that thereafter all public Proclamations, Hornings, Inhibitions, Summonses, and all other legal Diligences whatsoever, which by Law and Custom ought to be proclaimed, used, and executed at the Head Burgh of the Shire of *Berwick*, should be proclaimed, used, and executed at the Market Cross of the said Town of *Greenlaw* as the Head Burgh of the Shire, and declared all Proclamations and legal Diligences published, used, and executed that should be otherwise done to be null and void, and ordained the Sheriff Court of the said Shire to sit, be holden, and kept in the said Town of *Greenlaw*: And whereas by an Act of the Fourth Year of the Reign of His Majesty King George the Fourth, (Public General,) Chapter Ninety-seven, it was enacted, that all Sheriffloms, excepting as therein mentioned, but including the said Sherifflom of *Berwick*, should constitute Commissariats, and that the Sheriffs should become the Commissaries of their several Shires in room of the Inferior Commissaries, whose Offices were thereby abolished: And whereas the Sheriff and Commissary Courts of *Berwickshire* have been and are held at the said Head Burgh of *Greenlaw*, but it would tend greatly to the public convenience that Courts for the Despatch of Civil and certain Criminal Business should be held at the Town of *Dunse* in the said Shire as well as at the said Head Burgh, and that the Office of the Sheriff Clerk of the said Shire of

Berwick

Berwick should be situated at *Dunse*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. In construing this Act the Word "Sheriff" shall include "Sheriff Substitute," the Word "Commissary" shall include "Commissary Depute," the Words "Sheriff Clerk" shall include "Sheriff Clerk Depute," and the Word "Shire" or "Sheriffdom" shall include "Commissariat."

Construc-
tion of
Terms.

II. From and after the passing of this Act it shall be lawful for the Sheriff and Commissary of the said Shire to hold Ordinary Courts at *Dunse*, as well as at the Head Burgh of *Greenlaw*, for the Despatch of Civil and Consistorial Business, and also for trying and disposing of such Criminal Causes as may be tried without a Jury: Provided always that the Sheriff shall hold an Ordinary Court at least Once in every Week during the Summer and Winter Sessions, either at *Greenlaw* or *Dunse*, which shall be deemed and taken to be sufficient Compliance with the Provision contained in the First Section of the Act of Sederunt of the Lords of Council and Session, dated the Tenth day of *July* in the Year One thousand eight hundred and thirty-nine, passed under Authority of an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process of Sheriff Courts in Scotland*: Provided also, that all Courts for the Trial of Criminal Causes by Jury shall be held at the Head Burgh of *Greenlaw*.

Power to
Sheriff and
Commis-
sary to hold
Courts at
Dunse.

1 & 2 Vict.
c 119.

III. From Time to Time, Her Majesty's Advocate shall fix and appoint the Days on which Courts are to be held at *Greenlaw* and at *Dunse* respectively, and shall, at least Ten Days previous to such Arrangement coming into operation, cause a written or printed Notice thereof to be affixed to the Wall in the Court Houses at *Greenlaw* and *Dunse*, and in the Sheriff Clerk's Office; and to be inserted in a Newspaper of general Circulation in the Shire; and all Citations shall be in the Form prescribed by Act of Sederunt of the Court of Session, or other competent Authority, using the Words "Ordinary Court House at *Greenlaw*," or "Ordinary Court House at *Dunse*," or such other Form of Words as may be necessary, according as the Citation may be to a Court to be held at *Greenlaw* or at *Dunse* as fixed by the said Notice.

Lord
Advocate
to fix Time
and Place
of Sitting
of Courts.

IV. The Office of the Sheriff Clerk of the said Shire shall be situated and kept at the said Town of *Dunse*; and all Extracts of Judgments pronounced in Court given forth and subscribed by the said Sheriff Clerk shall severally bear the

Sheriff
Clerk's
Office to be
at *Dunse*.

Place

Place where such Judgments were pronounced: Provided always, that the Record of Deeds shall continue as at present to be kept at *Greenlaw*, under the Charge of a Depute to be appointed by the Sheriff Clerk, and which Depute shall reside in *Greenlaw*.

Nothing to
affect Pro-
visions of
7 W. 4. &
1 Vict. c. 41.

V. Nothing in this Act contained shall be held or construed to repeal or affect, as regards the said County of *Berwick*, any of the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the trial of Small Debt Causes by the Sheriffs in Scotland*.

Act of 1696
to remain
in full
Force, ex-
cept as
varied by
this Act.

VI. Except in so far as inconsistent with or varied by the Provisions of this Act, the said recited Act of Date the Ninth Day of *October* One thousand six hundred and ninety-six shall remain in full Force, and the said Town of *Greenlaw* shall continue to be the Head Burgh of the Shire of *Berwick*.

CAP. XXVIII.

An Act to amend the Law as to taking the Poll at Elections of Members to serve in Parliament for Scotland.—[14th June 1853.]

WHEREAS it is expedient to restrict the Continuance of the Polling at any contested Election for a County to One Day, and to provide for the Increase or Alteration of Polling Places, and also to repeal so much of the Act of the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-five, as enacts that no Poll, whether in Counties or Burghs, shall begin on a *Saturday*, and to amend the Regulations for taking the Poll in Counties and Burghs: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same,

So much of
2 & 3 W. 4.
c. 65. as re-
lates to the
Duration
of Polls,
&c. at
Elections
repealed.

I. That so much of the Act passed in the Session holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-five, as enacts that no Poll at any Election for a County or a Burgh shall be directed to begin on a *Saturday*, or shall be kept open at any Election for a County for more than Two Days, and limits the Hours of Polling on such Days, and so much of the same Act as enacts "that every Voter shall Poll at the Polling Places of
"the

“ the District within which the Premises or any Part of them
 “ in respect of which he claims to vote may be situate, except
 “ only where such Polling Places shall be in an Island distant
 “ more than Ten Miles from the Mainland of any County, in
 “ which Case the Voters not resident in such Island may poll
 “ at the Polling Place for the District in which the County
 “ Town is included,” and also as enacts “ that Polling Places
 “ shall in no Case be more in Number than Fifteen for any
 “ One County,” shall be and the same is hereby repealed.

II. It shall be lawful for each Sheriff, with the Consent of Her Majesty's Advocate for *Scotland* for the Time being, from Time to Time hereafter to increase or otherwise alter the Number, Situation, or Arrangement of the existing Polling Places and Districts, or Parts thereof, in his County, so that not more than Three hundred Electors shall be allowed to poll at any such Election as aforesaid at any one Place: Provided always, that no such Increase or Alteration as aforesaid shall be made until Notice thereof shall have been publicly given by Advertisement for Six Weeks successively in the *North British Advertiser* and the *Edinburgh Gazette*, and in the several Newspapers published within the County in which the said Increase or Alteration is proposed to be made; and in case any of the Inhabitants, not less than Ten in Number, being registered Voters for such County, shall be desirous of opposing such Increase or Alteration as aforesaid, it shall be lawful for them, at any Time not later than One Week from the Publication of the last Advertisement, to lodge with the Sheriff Clerk of the County a written Notice, signed by such Inhabitants as aforesaid, being not less than Ten in Number, stating their Objections to such Increase or Alteration, or any Suggestions they may wish to offer for the Purpose of obtaining a different Arrangement of Polling Places or Districts from that proposed in such Advertisement as aforesaid, and the Sheriff Clerk shall thereupon transmit the same to Her Majesty's Advocate for *Scotland* for the Time being, who shall, within Fifteen Days from the Receipt thereof, notify his Decision thereon to the Sheriff; and thereupon, if the said Decision shall sanction the original or any Increase or other Alteration in the Number, Situation, or Arrangement of the existing Polling Places or Districts, the Sheriff Clerk shall forthwith, or, in the event of no such Notice of Objection as aforesaid being given, shall at the Expiration of One Week from the Date of the last Advertisement as aforesaid, make a distinct List of such new Polling Places and Districts so appointed, and shall cause Copies of the said Lists to be affixed to the Doors of all the Parish Churches in his County.

Power to Sheriff, with Consent of Lord Advocate, to increase or alter Number and Arrangement of Polling Places, so that not more than 300 Electors shall poll at One Place.

No Alteration to take place until Notice shall be advertised.

Notice of Objections by Ten Inhabitant Electors.

Inhabitant
Electors,
being not
less than
Ten, may
petition for
Increase
or other
Alteration
of Polling
Places.

III. Provided always, That in Case any of the Inhabitants of a County, being registered Voters for the same, shall be at any Time dissatisfied with the then existing Number or Position of Polling Places or Districts, it shall be lawful for any of them to present to the Sheriff a Petition signed by not less than Ten such Inhabitants as aforesaid, representing that the Number of Polling Places or Districts is insufficient or excessive (as the Case may be), or that their Situation and Arrangement is inconvenient, and praying that the Place or Places mentioned in such Petition may be a Polling Place or Places for that County, or that the Alterations or other Changes mentioned in such Petition may be made in the Number, Situation, or Arrangement of the then existing Polling Places or Districts; and on the Receipt of such Petition the Sheriff shall, with the Consent of Her Majesty's Advocate for *Scotland*, proceed therein in the same Way as herein-before provided, and as though the Increase or Alterations in the said Petition mentioned had been originally proposed by the Sheriff.

Sheriff if
required
shall direct
more
Booths to
be provid-
ed.

No Poll to
be taken at
any Place
licensed
for Sale of
Beer, &c.
except by
Consent.

Where
Voters
shall poll.

IV. At any contested Election the Sheriff shall, if required by any of the Candidates, on or before the Day of Nomination, direct two or more Booths, Compartments, Halls, Rooms, or other Places for Polling, to be provided at each Polling Place: Provided always, that no Poll at any such Election shall be taken at any Inn, Hotel, Tavern, Public House, or other Premises licensed for the sale of Beer, Wine, or Spirits, or in any Booth, Hall, Room, or other Place directly communicating therewith, unless by Consent of all the Candidates, expressed in Writing.

V. That every County Voter (except as herein-after provided) shall poll at the Polling Place of the District within which the Premises, or any Part of them, in respect of which he claims to vote, may be situate: provided that nothing herein contained shall be held to repeal or alter the Ninth Section of the Seventy-eighth Chapter of the Statute passed in the Fifth and Sixth Years of His said Majesty, respecting Freeholders in Counties.

Voters
may claim
to vote in
another
District in
certain
Cases.

VI. Any County Voter, not being a Freeholder, and not resident in the District containing the Premises in respect of which he claims to vote, may make Application, in Person or by Writing, to the Sheriff, at the Registration Court of the County, to be entitled to poll at the Polling Place nearest to his Residence; and the Sheriff, on being satisfied of the Truth of the Statements of such Voter, shall insert in the List against the Name of the Voter making such Application the name of the Polling Place at which such Person shall be registered to

vote;

vote; and such Voter shall thereafter be entitled to vote at such Polling Place, and shall not be at liberty to poll at any other Polling Place for the same County.

VII. Where the Polling Place for a District containing the Premises in respect of which any Voter claims to vote shall be in an Island distant more than Ten Miles from the Mainland of the County, such Voter, not being resident in the Island, may Poll at the Polling Place for the District in which the County Town is included.

VIII. With respect to Section Thirty-three of the said first-mentioned Statute, be it enacted, That where the Sheriff shall not have received the Poll Books transmitted from any Island within the Time therein limited for the opening thereof, the Sheriff may adjourn the Court for the Declaration of the State and Result of the Poll from Day to Day, omitting *Sunday*, and shall either at the first of such adjourned Courts after the Receipt of such Poll Books, or at the Expiration of Twelve Days from the first Court so adjourned (whichever shall happen first) proceed to declare the Poll, and make Proclamation and a Return in the Manner therein mentioned.

IX. No Poll at any Election for any County shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon: Provided always, that at any Time after a Poll has been demanded the Poll at any One Place may be closed, if all the Candidates or their Agents and the Sheriff or his Substitute shall agree in so closing it: Provided also, that when the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, whether such Proceedings shall consist of the Nomination of Candidates, or of the taking the Poll, the Sheriff or his Substitute at the Place where the Riot or open Violence has occurred may adjourn the Nomination or the taking the Poll at the particular Polling Place or Places at which such Riot or open Violence shall have happened to the following Day or some other convenient Time, and if necessary may repeat such Adjournment till such Interruption or Obstruction shall have ceased, he always giving Notice to the Sheriff or his Substitute who is to make the Return of such Adjournment having been made; and the State of the Poll shall not be finally declared, nor the Result of the Election proclaimed, until the Poll so interrupted or obstructed shall be closed, and transmitted to the Sheriff or his Substitute who is to make the return.

X. That in respect of the remote Situation of certain Parts of the County of *Orkney* and *Shetland*, and the occasional difficult Intercommunication therein, nothing in this Act contained

Non-resident Voters, with Island Qualifications, may vote at the County Town.
Declaration of the Poll in certain Cases.

Poll to be kept open only One Day.
Order and Manner of Polling.

Poll to be kept open Two Days in Orkney and Shetland.

tained shall alter the Provisions of the said recited Act so far as relates to the keeping open of the Poll for Two consecutive Days as heretofore; but nothing herein contained shall be construed to exclude the said County of *Orkney* and *Shetland* from any of the Benefits or Obligations of the other Portions of this Act.

As to the
Word
"Burgh."

XI. The Word "Burgh" in this Act shall include every City, Burgh, Town, or District of Cities, Burghs, or Towns, entitled to return or to contribute to return a Member to Parliament.

CAP. XXIX.

An Act for regulating the Weights used in Sales of Bullion.—[14th June 1853.]

5 G. 4. c.
74.

WHEREAS by an Act of the Fifth Year of His late Majesty King *George* the Fourth, Chapter Seventy-four, it was amongst other things enacted, "that the Standard Troy Pound thereby established or ascertained should be the Unit or only Standard Measure of Weight from which all other Weights should be derived, computed, and ascertained, and that One Twelfth Part of the said Troy Pound should be an Ounce:" And whereas by another Act passed in the Session held in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, Chapter Sixty-three, further Provisions were made for establishing Uniformity of Weights, and for stamping the Weight thereby authorized to be used: And whereas the Weights now ordinarily used in Sales of Gold and Silver are the Troy Ounce and other Weights, being Multiples or Decimal Parts of such Ounce: And whereas none of the Weights so used have hitherto been stamped, and many of them which are Multiples of the Troy Ounce are not Multiples or Parts of the Troy Pound, and doubts have arisen whether, under the Provisions of the said recited Acts, or One of them, such Weights are not liable to be seized as illegal, and Contracts and Sales made thereby are not illegal and void: And whereas it is expedient to remove such Doubts, and that Provisions should be made authorizing Contracts and Bargains for and Sale of Gold and Silver, Platina, and precious Stones to be made by the Troy Ounce and Weights being Multiples or Decimal Parts thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

in

5 & 6 W. 4.
c. 63.

in this present Parliament assembled, and by the Authority of the same, as follows ; that is to say,

I. All Contracts and Bargains made or to be made for and Sales of Gold, Silver, Platina, Diamonds and other precious Stones, made and to be made by the Troy Ounce as ascertained and fixed by the first above-recited Act, and by any Weights being Multiples or Decimal Parts of such Ounce, shall be deemed and reputed and are hereby declared to be good and valid in Law, and for the purposes of such Contracts, Bargains, and Sales such Troy Ounce shall be taken to be the Standard or Unit of Weight.

Sales of Bullion and precious Stones by the Troy Ounce and Multiples and Decimal Parts thereof to be good and valid.

II. Within Three Months next after the passing of this Act Models of such Multiples and Decimal Parts of the said Troy Ounce as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom for the Time being shall judge expedient, and from Time to Time after the Expiration of the aforesaid Period of Three Months Models of such further Multiples and Decimal Parts of the said Troy Ounce as the Lord High Treasurer or the said Commissioners shall from Time to Time think expedient, shall be carefully made and verified, under the Direction of the said Lord High Treasurer or the said Commissioners, and, when so made and verified, shall be deposited in the Office of the Chamberlain of the Exchequer at *Westminster*, and Copies of the Models so from Time to Time deposited, verified as aforesaid, shall be sent to the Lord Mayor of *London* and the Chief Magistrate of *Edinburgh* and *Dublin*, and to the Chief Magistrate of such other Cities, and to such other Places and Persons in Her Majesty's Dominions or elsewhere as the Lord High Treasurer or the aforesaid Commissioners may from Time to Time direct.

Models of the Multiples and Decimal Parts of the Troy Ounce to be made and verified under the Direction of the Treasury.

Models to be deposited.

III. No Person who heretofore or at any Time previous to the Expiration of Fifteen Months next after the passing of this Act shall, in any Contract, Bargain, or Sale for or of any Gold, Silver, Platina, Diamonds or other precious Stones, have used or shall have had in his Possession any Troy Pound, Troy Ounce, or any Weight being a Multiple or a Decimal Part of the Troy Pound or Troy Ounce, shall be liable to be convicted by reason of such Weight not being One of the Weights authorized by the said second above-recited Act, or an aliquot Part, as therein described, of any such Weight, or by reason of such Weight not being stamped as required by the said last-mentioned Act, nor shall any such Weight at any Time previous to the Expiration of Fifteen Months after the passing of this Act be seized by reason of its not being stamped as aforesaid.

Persons using the Weights authorized by this Act not liable to certain Penalties imposed by 5 & 6 W. 4. c. 63.

IV. The

The 1st
and 2d Sec-
tions of
this Act
incorpora-
ted with 5
& 6 W. 4.
c. 63.

Contents
of Weights
to be
stamped
thereon.

IV. The First and Second Sections of this Act shall be taken as Part of the second above-recited Act: and such last-mentioned Act shall be construed and applied in all respects as if the said First and Second Sections of this Act had formed Part of the said second above-recited Act, and had been inserted therein immediately after the Tenth Section thereof.

V. The Provisions contained in the Twelfth Section of the second above-recited Act shall not extend or be applied to any Weight made or used under the Provisions of this Act, although the same be of the Weight of One Pound Avoirdupois or more; but every Troy Ounce Weight, and every Weight being a Multiple or Decimal Part of the Troy Ounce, not being less than One Tenth of an Ounce, shall have the number of such Ounces or Parts of an Ounce therein contained stamped or cast on the Top or Side thereof in legible Figures and Letters; and no Weight, being a Troy Ounce or any Multiple or Part thereof, shall be stamped under the Provisions of the said second above-recited Act unless the Number of Troy Ounces or Parts of an Ounce therein contained shall be so stamped or cast thereon.

CAP. XXX.

An Act for the better Prevention and Punishment of aggravated Assaults upon Women and Children, and for preventing Delay and Expense in the Administration of certain Parts of the Criminal Law.
—[14th June 1853.] (England and Wales).

CAP. XXXI.

An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-three.—[14th June 1853.]

CAP. XXXII.

An Act to make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error.—[28th June 1853.] (England and Ireland.)

CAP. XXXIII.

CAP. XXXIII.

An Act for the better Regulation of Metropolitan Stage and Hackney Carriages, and for prohibiting the Use of Advertising Vehicles.—[28th June 1853.]

CAP. XXXIV.

An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices.—[28th June 1853.]

MOST GRACIOUS SOVEREIGN,

WE Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdom of *Great Britain and Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-three there shall be charged, raised, levied, collected, and paid yearly unto and for the Use of Her Majesty, Her Heirs and Successors, during the respective Terms herein-after limited, the several Rates and Duties herein-after mentioned; (that is to say),

For and in respect of the Property in any Lands, Tenements, or Hereditaments in the United Kingdom, and for and in respect of every Annuity, Pension, or Stipend payable by

Her

From 5th
April 1853
certain
Duties
herein
mentioned
to be
charged on
Property,
&c.

II. For the Purpose of classifying and distinguishing the several Properties, Profits, and Gains for and in respect of which the said Duties are by this Act granted, and for the Purposes of the Provisions for assessing, raising, levying, and collecting such Duties respectively, the said Duties shall be deemed to be granted and made payable yearly for and in respect of the several Properties, Profits, and Gains respectively described or comprised in the several Schedules contained in this Act, and marked respectively (A.), (B.), (C.), (D.), and (E.), and to be charged under such respective Schedules; (that is to say),

Duties payable in respect of Subjects described in Schedules.

SCHEDULE (A.)

For and in respect of the Property in all Lands, Tenements, Hereditaments, and Heritages in the United Kingdom, and to be charged for every Twenty Shillings of the annual Value thereof:

SCHEDULE (B.)

For and in respect of the Occupation of all such Lands, Tenements, Hereditaments, and Heritages as aforesaid, and to be charged for every Twenty Shillings of the annual Value thereof:

SCHEDULE (C.)

For and in respect of all Profits arising from Interest, Annuities, Dividends, and Shares of Annuities payable to any Person, Body Politic or Corporate, Company or Society, whether corporate or not corporate, out of any Public Revenue, and to be charged for every Twenty Shillings of the annual Amount thereof:

SCHEDULE (D.)

For and in respect of the annual Profits or Gains arising or accruing to any Person residing in the United Kingdom, from any kind of Property whatever, whether situate in the United Kingdom or elsewhere, and for and in respect of the annual Profits or Gains arising or accruing to any Person residing in the United Kingdom from any Profession, Trade, Employment, or Vocation, whether the same shall be respectively carried on in the United Kingdom or elsewhere, and to be charged for every Twenty Shillings of the annual Amount of such Profits and Gains:

And for and in respect of the annual Profits or Gains arising or accruing to any Person whatever, whether a Subject of Her Majesty or not, although not resident within the United

Kingdom, from any Property whatever in the United Kingdom, or any Profession, Trade, Employment, or Vocation exercised within the United Kingdom, and to be charged for every Twenty Shillings of the annual Amount of such Profits and Gains :

And for and in respect of all Interest of Money, Annuities, and other annual Profits and Gains not charged by virtue of any of the other Schedules contained in this Act, and to be charged for every Twenty Shillings of the annual Amount thereof.

SCHEDULE (E.)

For and in respect of every Public Office or Employment of Profit, and upon every Annuity, Pension, or Stipend payable by Her Majesty or out of the Public Revenue of the United Kingdom, except Annuities charged to the Duties under the said Schedule (C.), and to be charged for every Twenty Shillings of the annual Amount thereof.

Duties on
fractional
Parts.

III. Upon every fractional Part of Twenty Shillings of the annual Value or amount of the Property, Profits, and Gains aforesaid, the like Proportion of Duty at the Respective Rates aforesaid shall be charged ; provided that no Duty shall be charged of a lower Denomination than One Penny.

Duties to
be under
the Man-
agement of
the Com-
missioners
of Inland
Revenue.

IV. The Duties by this Act granted shall be under the Direction and Management of the Commissioners of Inland Revenue for the Time being, who are hereby empowered to employ all such Officers or other Persons, and to do all such other Acts and Things as may be deemed necessary or expedient for the raising, collecting, receiving, and accounting for the said Duties, and for putting this Act into execution in and throughout the United Kingdom, in the like and in as full and ample a Manner as they are authorized to do with relation to any other Duties under their Care and Management.

Duties to
be assessed
and raised
under the
Provisions
of recited
Acts.

V. The said Duties hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and of the several Acts therein mentioned or referred to, and also of any Act or Acts subsequently passed explaining, altering, amending, or continuing the said first-mentioned Act ; and for this Purpose all the said several Acts shall be revived, and shall be deemed to have been and to be continued in force from the Fifth Day of *April* One thousand eight hundred and fifty-three ; and all such of the said Regulations and Provisions as have been enacted by the said Acts, or any of them, with
reference

reference to *Great Britain* or *England*, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) be and the same are hereby extended to *Ireland*; and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts before recited or referred to, or any of them, shall, notwithstanding that the same may have expired, severally and respectively be and become in full Force and Effect with respect to the Duties hereby granted, and shall in all Cases not expressly provided for by this Act, and so far as the same are not superseded by and are consistent with the express Provisions of this Act, severally and respectively be duly observed, applied, practised, and put in execution throughout the respective Parts of the United Kingdom, for raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and for auditing the Accounts thereof, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted, and respectively applied to the several Parts of the United Kingdom as aforesaid; and wherever in the said Acts, or any of them, the Term "*England*" is used or mentioned, the same, in relation to the Duties granted by this Act, shall be deemed to extend to and to mean also *Ireland*; and in like Manner the Term "*Great Britain*" shall be read as and deemed and construed to mean the United Kingdom; and where in the Provisions of the said Acts Her Majesty's Court of Exchequer at *Westminster*, or any of Her Majesty's Courts of Record at *Westminster*, is or are mentioned or referred to, such Provisions shall, with reference to the Duties under this Act to be assessed in *Ireland*, be construed and take effect as if Her Majesty's Court of Exchequer at *Dublin*, or Her Majesty's Superior Courts of Record at *Dublin*, were mentioned or referred to instead of the said respective Courts at *Westminster*, and the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and the Acts explaining, altering, amending, and continuing the same, and this Act, shall be construed and read together as One Act.

VI. Provided always, That nothing in the said first-mentioned Act contained shall be deemed or construed to extend to exempt any Person, although not resident in any Part of the United Kingdom, from the Duties granted by this Act in respect of the Profits or Gains received from or out of any Possessions or Securities in *Ireland*, or to exempt any Person resident

Provisions
of former
Act not to
extend to
exempt
Persons re-
ceiving
Profits

from Possessions or Securities in Ireland, &c. or from Foreign Possessions or Securities.

Duties in respect of Securities and Possessions in Ireland to be charged in the same Manner as Securities and Possessions of the like Nature in Great Britain are chargeable, except as modified by this Act.

Persons holding Offices in Ireland, and Members of Parliament residing in Ireland, to be chargeable, notwithstanding certain Provisions in 5 & 6 Vict. c. 35. Commissioners appointed under former Acts to be Commissioners under this Act.

resident in any part of the United Kingdom from the said Duties in respect of the Profits or Gains received from or out of any Possessions or Securities in any other of Her Majesty's Dominions, or any Foreign Possessions or Securities.

VII. Provided also, That the Duties in respect of Interest arising from Securities in *Ireland*, and in respect of Possessions in *Ireland*, which by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, are directed to be charged and assessed respectively according to certain Rules prescribed for charging the Duties under the Head respectively of "Fourth Case" and "Fifth Case" of Schedule (D), and in Section One hundred and six of the said Act, shall under this Act be charged and assessed in *Ireland* in the same Manner and under the same Schedules, Rules, and Regulations respectively as the Duties on Securities and Possessions of the like Nature in *Great Britain* are directed to be charged, except so far as such Schedules, Rules, and Regulations are altered or modified in regard to the assessing or charging of Duties in *Ireland* by the express Provisions of this Act.

VIII. Provided also, That, notwithstanding anything in the said Act of the Fifth and Sixth Years of Her Majesty contained, Persons holding Offices in *Ireland* and residing in *Great Britain*, and Persons usually residing in *Ireland* and serving in Parliament, shall be chargeable to the Duties by this Act granted, without regard to any Exemption from the Duties of Assessed Taxes; and that this Act shall extend to charge Persons resident in *Ireland* with the Duties under Schedule (E) in respect of Public Offices or Employments, although the Duties thereof are necessarily and permanently performed in Ireland.

IX. The several Persons chosen or appointed under the Provisions of the said first-mentioned Act to be respectively Commissioners for the general Purposes of the said Act, and to be respectively additional or other Commissioners, being respectively duly qualified in that Behalf, and also the several Persons appointed to be and who on the Fifth day of *April* One thousand eight hundred and fifty-three were Commissioners for the special Purposes of the said Act, shall, without any further or other Election, Nomination, or Appointment respectively, be such Commissioners as aforesaid for the like Purposes under this Act: and wherever in the said Act, or in any Act relating to the Duties thereby granted, Mention is made of the Commissioners of Stamps and Taxes, the same in relation to the Duties granted by this Act shall be construed and deemed to designate the Commissioners of Inland Revenue: Provided that no Persons shall be Commissioners to supply

supply Vacancies amongst the said Commissioners for general Purposes except such Persons as shall after the passing of this Act be chosen for that Purpose in the Manner provided by the said first-mentioned Act.

X. The Provision made by the Act passed in the said Session of the Fifth and Sixth Years of Her Majesty, Chapter Eighty, Section Two, for the assessing and charging the Duties on Dividends and Shares of Annuities payable out of the Revenue of any Foreign State, shall be and the same is hereby extended to the assessing and charging of the Duties granted by this Act, as well on such Dividends and Shares of Annuities as aforesaid as on all Interest, Dividends, or other Annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Foreign Company, Society, Adventure, or Concern, or in respect of any Securities given by or on account of any such Company, Society, Adventure, or Concern, and which said Interest, Dividends, or annual Payments have been or shall be intrusted to any Person in the United Kingdom for Payment to any Persons, Corporations, Companies, or Societies in the United Kingdom, and all Persons intrusted with the Payment of any such Interest, Dividends, or other annual Payments as aforesaid in the United Kingdom, or acting therein as Agents or in any other Character, shall and they are hereby required to do and perform all such Acts, Matters, and Things, in order to the assessing and charging and paying of the said Duties on all such Interest, Dividends, or other annual Payments as aforesaid, and under and subject to the like Penalty or other Liability for any Neglect, Refusal, or Default, in that Behalf, as by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Eighty, Persons intrusted with the Payment of Annuities or any Dividends or Shares of Annuities are required to do and perform, or are subject or liable to for any similar Neglect, Refusal, or Default; and the Assessments of the Duties on all such Interest, Dividends, and other annual Payments as aforesaid shall be made by the Commissioners for Special Purposes under Schedule (D.) of this Act, and the said Commissioners shall do and perform all such Acts, Matters, and Things in relation to such Assessments as by the said Act, Chapter Eighty, they are required to do or perform in relation to any Assessment under the said last-mentioned Act.

XI. The Governor and Directors of the Company of the Bank of *Ireland* shall be Commissioners for executing this Act, for the Purpose of assessing and charging the Duties hereby granted in respect of all Annuities, Dividends, and Shares of Annuities payable by the Governor and Company of

Persons intrusted with the Payment in the United Kingdom of Interest or Dividends from Foreign Companies to do all Acts necessary in order to Assessments being made thereon in manner directed by 5 & 6 Vict. c. 80.

Governor and Directors of the Bank of *Ireland* to be Commissioners of

for assessing Duties on Annuities, Dividends, Pensions, and Salaries payable by the Bank, and on their Profits.

of the Bank of *Ireland* out of the Public Revenue of the United Kingdom to any Persons, Corporations, or Companies whatever, and in respect of all Profits and Gains of the said Company chargeable under Schedule (D.) of this Act, and in respect of all other Dividends, Interests, Annuities, Pensions, and Salaries payable by the said Company, and also in respect of all other Profits chargeable with Duty under this Act and arising within any Office or Department under the Management or Control of the said Governor and Company; and the said last-mentioned Commissioners shall have, use, and exercise all the Powers and Authorities of Commissioners for the said general Purposes of this Act, so far as the same relate to the said Duties to be assessed and charged by the said Governor and Directors, and shall make their Assessments of the said Duties, under and subject to the Rules, Regulations, and Exemptions contained in the said first-mentioned Act in relation to the said Duties respectively: Provided always, that the Duties by this Act granted shall extend to and be payable upon all Annuities, Dividends, and Share of Annuities payable in *Ireland* out of the Revenue of the United Kingdom to or for the Use or Benefit of any Person, whether resident in *Ireland* or elsewhere.

The Clerks of the Boards of Guardians in *Ireland* to transmit to the Commissioners of Inland Revenue annually Copies of the Poor Rates.

XII. In order to the assessing of the Duties chargeable under the respective Schedules A. and B. of this Act in *Ireland*, the Clerk of the Board of Guardians of every Poor Law Union in *Ireland*, or the Person acting as such Clerk, shall, within One Month after the passing of this Act, and between the Fifth Day of *April* and the First Day of *June* in every succeeding Year, transmit to the Commissioners of Inland Revenue, at their Head Office in *Dublin*, true Copies of the last Rates made by such Guardians for the Relief of the Poor in such Union, and in every Electoral Division thereof, and the Collector General of Rates in the City of *Dublin* shall, in like Manner and within the same Period in each Year, transmit to the said Commissioners true Copies of the last Rates made for the Relief of the destitute Poor in the several Electoral Divisions or Parts thereof in which he is by Law authorized to make and declare such Rates; and the Commissioners of Inland Revenue shall pay to the said Clerk and Collector respectively the Cost and Expense of making all such Copies, not exceeding the Rate of Two Shillings and Sixpence for every One hundred Ratings; and if any such Clerk or any Person acting as such Clerk or such Collector shall in any Year neglect to transmit such Copies in compliance with this Enactment he shall for every such Neglect forfeit the sum of Fifty Pounds.

XIII. The

XIII. The Duties chargeable in *Ireland* under the respective Schedules (A.) and (B.) of this Act shall be charged and assessed by a Poundage Rate upon the annual Value of all Tenements and rateable Hereditaments, according to the respective Surveys and Valuations made or to be made and from Time to Time in force for the Purposes of the Rates for the Relief of the Poor in *Ireland*; and the Assessment of the said Duties in *Ireland* chargeable under the said Schedule (A.) shall be made upon the Landlord or immediate Lessor of such Tenements or rateable Hereditaments, or if it shall appear to the Commissioners for special Purposes to be necessary or proper, the said Assessment shall be made upon such Person as the Rate for the Relief of the Poor shall be made upon in respect of any such Property under the Provisions of the Acts in that Behalf; and the Assessment of the said Duties chargeable under the said Schedule (B.) shall be made upon the Occupier of such Property: Provided always, that if upon the Appeal, as herein-after mentioned, of any Person deeming himself aggrieved by any such Assessment, it shall be proved to the Satisfaction of the Commissioners, Assistant Barrister, Chairman, or Recorder, by whom such Appeal shall be heard or re-heard, as the Case may be, that such Assessment is made upon an Amount or Value exceeding the annual Rent at which the Property in respect whereof such Assessment is made is worth to be let from Year to Year, the Person hearing or re-hearing such Appeal shall give Relief by reducing and abating such Assessment, and charging the Duties on the Amount of such annual Value as aforesaid, notwithstanding that the same may be less than the annual Value of the Premises according to any such Survey or Valuation as aforesaid; and if such annual Value at which such Property is worth to be let as aforesaid shall exceed the actual Rent payable yearly by the Tenant or Occupier of such Premises, the Landlord or immediate Lessor shall be assessed under Schedule (A.) upon the Amount of such actual Rent only, and the Tenant or Occupier shall be assessed under the said Schedule (A.) on the Difference between that Amount and the Amount of such last-mentioned annual Value, subject nevertheless to any Claim for Exemption which the Parties respectively may be entitled to: Provided also, that where any Person receiving Rent in respect of any Hereditament in *Ireland* exempt from being rated to the Relief of the Poor is liable to be rated in respect of such Rent to the Extent of One Half the Poundage of any Poor Rate, the said Duties in *Ireland* chargeable under the said Schedule (A.) shall be charged and assessed upon such Person by a Poundage Rate upon the full Amount of such Rent.

Duties under Schedules (A.) and (B.) in *Ireland* to be assessed according to the Valuations under the Poor Relief Acts.

On whom Assessments to be made.

Persons receiving Rent out of Hereditaments in *Ireland* exempt from Poor Rates to be assessed to full amount of Rent.

XIV. Provided

Commissioners of Inland Revenue may direct Re-valuations where existing Valuations are incorrect.

XIV. Provided also, That if in any Case it appear to the Commissioners of Inland Revenue that any such Valuation as aforesaid for the Time being in force is not correct (having reference to the Principles according to which the same ought by Law to have been made), with respect to all or any of the Tenements or rateable Hereditaments included therein, it shall be lawful for such Commissioners to direct the Commissioner of Valuation to make or cause to be made a Re-valuation of the Tenements or Hereditaments with respect to which the said valuation is incorrect, and such Commissioner of Valuation shall forthwith, with all convenient Speed, make or cause to be made such Re-valuation accordingly, and sign the same and transmit it to the Commissioners of Inland Revenue : and such Re-valuation shall be made according to the Principles or Rules according to which such incorrect Valuation ought by Law to have been made, and the Duties chargeable under the said Schedules (A.) and (B.) shall, after such Re-valuation, be charged and assessed according thereto ; provided that if any Person assessed to the last-mentioned Duties according to such Re-valuation deem himself aggrieved thereby, it shall be lawful for him to appeal against such Assessment on the ground of the Incorrectness of such Re-valuation, and upon such Appeal it shall be lawful for the Commissioners, Assistant Barrister, Chairman, or Recorder hearing or re-hearing such Appeal to alter as well such Re-valuation as the Assessment thereon, and make such Order in relation thereto as they or he may think fit.

Allowance for Poor Rates chargeable on the Landlord's Rent in Ireland.

XV. In assessing in *Ireland* the Duties chargeable under Schedule (A.) of this Act on the Landlord or immediate Lessor, in every Case where the Amount or annual Value on which the Assessment is made on him is not less than the annual Rent reserved or payable to him for the Premises in respect of which the Assessment is made, an Allowance or Abatement of a proportionate Part of the Duty shall be made in respect of the Amount of the Poor Rates which such Landlord or Lessor shall have paid or borne for the same Premises in the Year preceding ; and if the Amount or annual Value on which such Assessment as aforesaid is made shall be less than the said Rent, then such Allowance or Abatement as aforesaid shall be made only in respect of so much as the Amount of the said Poor Rate added to the Sum on which the Assessment is made shall exceed the actual Rent.

By whom Assessments under Schedules (A.) and (B.) in

XVI. All Assessments of the said Duties under the said Schedules (A.) and (B.), in *Ireland*, shall be made by Surveyors of Taxes or other Officers of Inland Revenue acting in that Behalf under the Directions of the Commissioners of Inland

land Revenue ; and every such Assessment shall be made for and comprise the respective Premises situate within a Union, or an Electoral Division, or such other District as the said last-mentioned Commissioners shall direct ; and the same shall be signed by Two of the Commissioners for special Purposes, who shall cause Duplicates thereof, together with their Warrants for the collecting and levying of the Sums thereby assessed, to be delivered to such Person or Persons as they shall appoint to be Collectors of such Assessments.

Ireland are
to be made
and col-
lected.

XVII. Every such Assessment in *Ireland* of the Duties under the said Schedules (A.) and (B.) of this Act may be collected, levied, and recovered by Distress by the Person appointed in manner aforesaid to be the Collector thereof from the Person assessed, or from the Occupier of the Property assessed, or may be levied upon the particular Premises in respect of which the Assessment is made ; and all Goods and Chattels, to whomsoever the same shall belong, found on such Premises in respect of which any Assessment is made of the said Duties under this Act, shall be liable to be distrained and sold for the Recovery of the said Duties ; or such Duties as aforesaid, or any Arrears thereof, may be levied and recovered in the same Manner as other Duties assessed in *Ireland* under this Act may be levied and recovered : Provided always, that the Duty assessed under the said Schedule (A.) upon or in respect of any Tenement or Hereditament may be collected, recovered, and levied by the said Collector from the Landlord or immediate Lessor of the Premises assessed, whether he be named in the Assessment or not ; and to that end such Collector is hereby authorized and empowered to use, exercise, and put in force against such Landlord or immediate Lessor all or any of the Remedies, Ways, and Means provided by an Act of the First and Second Years of Her Majesty, Chapter Fifty-six, and an Act of the Sixth and Seventh Years of Her Majesty, Chapter Ninety-two, or either of the said Acts, by which any Rate made for the Relief of the destitute Poor in *Ireland* may be collected, recovered, or levied from any immediate Lessor primarily liable to the Payment of Rates for Premises the Occupier of which is exempted from such Payment : Provided also, that where any Proceeding for the Recovery of any such Rate is by Law required to be had or taken in the Name of the Guardians of a Poor Law Union, or by the Direction or with the Consent of such Guardians or of the Poor Law Commissioners, or by or with any other Direction or Consent, the like Proceeding for the recovery of the said Duties under this Act may be had and taken by and in the Name of such Collector as aforesaid, and without any such Direction or Consent ; pro-

How As-
sessment
in Ireland
under
Schedules
(A.) and
(B.) are to
be collect-
ed, levied,
and reco-
vered.

vided that where any Assessment under the said Schedule (A.) shall have been made upon the Tenant or Occupier of the Premises assessed, the Landlord or immediate Lessor shall be liable to be proceeded against in manner aforesaid only in default of Payment of such Assessment by the said Tenant or Occupier, and for the Recovery of so much only of the Duty assessed as shall be chargeable in respect of the Rent payable yearly to such Landlord or immediate Lessor for the Premises assessed.

Landlords in Ireland entitled to claim Return of Duty paid by them in respect of Rent lost by Bankruptcy or Absconding of Tenant.

XVIII. When any Landlord or immediate Lessor of any Tenement or Hereditament in *Ireland* assessed to the Duty chargeable under Schedule (A.) of this Act shall have paid such Duty, and shall afterwards prove to the Satisfaction of the Commissioners for special Purposes that the Rent due or payable to him in respect of such Tenement or Hereditament for the Period for which the said Duty was assessed, or any Portion of such Rent, has been wholly and irrecoverably lost by reason of the Bankruptcy, Insolvency, or absconding of the Tenant or Occupier by whom such Rent was payable, or by the fraudulent Assignment or Removal of his Goods, or by reason of such Tenement or Hereditament being left waste and unoccupied, then and in such Case the said Landlord or Lessor shall be entitled to be repaid such Proportion of the said Duty as he shall have paid in respect of the Rent so lost; and the said Commissioners shall order and direct the Repayment of such Proportion of Duty in like Manner as by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, they are authorized to order and direct the Repayment of Duty in other Cases, provided that such Landlord or Lessor shall make his Claim for such Repayment to the said Commissioners within the Period of Six Calendar Months after the Expiration of the Year for which the said Duty was assessed.

Persons having the Custody of Valuations under the Poor Relief Acts in Ireland to produce same to Officers under this Act, and to permit Copies to be taken. Penalty for Refusal, &c.

XIX. Every Person having in his Custody or Possession any Survey or Valuation on which the Rates for any Union or Electoral Division shall be assessed or made, or any Rate or Assessment made under the Provisions of the Acts for the Relief of the Poor in *Ireland*, or any of them, shall, at the Request of any Inspector, Surveyor, or other Officer acting in the Execution of this Act in *Ireland*, produce and show every such Survey, Valuation, Rate, and Assessment to such Inspector, Surveyor, or other Officer, and permit him to inspect the same, and to take Copies thereof or Extracts therefrom without paying anything for the same; and in case the Person having the Custody or Possession of any such Survey, Valuation, Rate, or Assessment shall, on any such Request as aforesaid, refuse to produce the same to such Inspector, Surveyor, or other

Officer,

Officer, or to permit him to inspect the same, or to take Copies thereof or such Extracts as he may think fit to take therefrom, such Person shall, for every such Refusal, forfeit the Sum of Fifty Pounds.

XX. The Assessments of the Duties chargeable in *Ireland* under the several Schedules (D.) and (E.) of this Act shall be made by such Surveyors of Taxes, or other Officers of Inland Revenue as the Commissioners of Inland Revenue shall appoint in that Behalf; and such Assessments shall be allowed and signed by the Commissioners for special Purposes, who shall also appoint the Times and Places for hearing Appeals against the same as herein-after mentioned, and shall also cause due Notice of every such Assessment, and of the Amount thereof, and of the Time and Place appointed for hearing any Appeal against the same, to be given by some Officer of Inland Revenue to every Person so assessed.

By whom Assessments under Schedules (D.) and (E.) to be made in Ireland.

XXI. All Appeals against Assessments under this Act in *Ireland* shall be heard and determined by the said Commissioners for special Purposes, or any Two of them, whose Determination on any such Appeal shall be final and conclusive, unless the Person charged by the Assessment shall think himself aggrieved by such Determination, and shall require that such Appeal shall be re-heard as herein-after provided; and where any Person charged by any such Assessment as aforesaid, and to whom Notice thereof and of the Time and Place appointed for hearing any Appeal against the same shall be given as herein-before directed, shall neglect to appeal accordingly, such Assessment shall also be conclusive, and such Person shall be precluded from afterwards disputing or questioning the same.

Appeals in Ireland to be heard and determined by the Commissioners for special Purposes.

XXII. If any Person charged by an Assessment in *Ireland* shall think himself aggrieved by the Determination of the said Commissioners for special Purposes in any such Appeal as aforesaid, it shall be lawful for him, on giving Notice in Writing to the Inspector or Surveyor within Ten Days after such Determination, to require that such Appeal shall be re-heard by the Assistant Barrister for the County or Riding where such Person shall have been assessed, or in case he shall have been assessed in the County of *Dublin*, by the Chairman of the Sessions of the Peace of such County, or in case such Person shall have been assessed in the City of *Dublin*, by the Recorder of such City, or in case such Person shall have been assessed in the Borough of *Cork*, by the Recorder of such Borough; and where any such Appeal shall be so required to be re-heard, any Statement or Schedule in the Possession of the said Commissioners for special Purposes, returned

Persons assessed aggrieved by Determination of Commissioners may require Appeal to be re-heard by an Assistant Barrister, &c.

returned to them for the Purpose of such Appeal, shall be transmitted by them to the Assistant Barrister, Chairman, or Recorder (as the Case may require); and such Assistant Barrister, Chairman, or Recorder shall with all convenient Speed re-hear and determine such Appeal, and shall take the Oath or Affirmation required to be taken by a Commissioner for special Purposes, and shall and may have and exercise the same Powers and Authorities in relation to the Assessment appealed against, and the Determination of the Matter thereof and in relation to all Matters consequent thereon, as any Two or more Commissioners for special Purposes might have and exercise, and his Determination thereon shall be final and conclusive.

After hearing Appeals in Ireland Commissioners to cause Duplicates of Assessments to be delivered to Collectors, with Warrants to collect the same.

XXIII. After the respective Times for hearing Appeals against such Assessments as aforesaid in *Ireland*, then as to all Assessments against which Appeals shall have been heard and determined, leaving any Sum assessed or charged by any such Assessment, and as to all Assessments against which no Appeal shall have been made, the Commissioners for special Purposes shall cause Duplicates thereof, together with Warrants under the Hands and Seals of Two of the said last-mentioned Commissioners, to be delivered to such Officers of Inland Revenue or other Persons as shall be named in such Warrants respectively, appointing such Persons to be Collectors of the Duties and Sums of Money assessed and charged in such Duplicates respectively, and requiring and empowering such Collectors respectively to collect, demand, levy, and recover all such Duties and Sums of Money.

Commissioners for special Purposes, Inspectors and Surveyors of Taxes, and other Officers to exercise the like Powers in executing this Act in Ireland as Commissioners, Inspectors, or Officers may exercise in similar Cases in England.

XXIV. The Commissioners for special Purposes acting in the Execution of this Act in *Ireland* in relation to the allowing or signing of any such Assessment as aforesaid, and to the hearing and determining of any Appeal against the same, and to the making and signing of any Duplicate thereof and any Warrant for collecting and levying the Duties and Sums of Money charged or assessed thereby, and also all Inspectors and Surveyors of Taxes, and other Officers of Inland Revenue acting in *Ireland* in relation to the making of any such Assessment or to the assessing or charging of any Person therein or thereby, and also all Persons named or appointed by the said Commissioners to be respectively Collectors of the said Duties and Sums of Money in relation to the collecting, levying, distraining for, or otherwise recovering of the same, shall respectively be, and are hereby invested with, and shall have, use, and exercise all such and the like Powers and Authorities as any Commissioners, either for general or special Purposes, or any additional Commissioners, and as any Inspectors, Surveyors,

veyors, Collectors, or other Officers respectively have or are invested with, or can or may use or exercise in *England* in relation to the making or allowing of any Assessment of Duties under this Act, or to the assessing or charging of any Person to such Duties, or to the hearing or determining of any Appeal against any such Assessment, or to the collecting, levying, distraining for, or otherwise recovering of any such Duties, so far as such Powers and Authorities or any of them are applicable or may be adapted to the Performance of similar Acts, Matters, and things in *Ireland*.

XXV. Nothing herein contained shall be construed to make any Union, Electoral Division, or Place in *Ireland* in which any Assessment of any Duties granted under this Act shall be made, answerable for the Amount of Duties charged in such Place, nor for any Neglect or Default of the Collector in demanding or collecting same, nor shall any Re-assessment be made in *Ireland* upon any such Place for any Arrears or Loss occasioned by any such Neglect or Default.

XXVI. Where, in any Court or Department of Office there shall not be a sufficient Number of Officers proper to be appointed Commissioners for executing this Act in relation to the Duties on Offices and Employments of Profit in such Court or Department of Office, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that the Commissioners for any other Department shall execute this Act in relation to the Offices and Employments of Profit in any such Court or Department as aforesaid; and in default of a sufficient Number of Commissioners being appointed in any such Court or Department, and of such Direction as aforesaid, the Commissioners for general Purposes in their respective Districts in *England* and *Scotland* respectively, and the Commissioners for special Purposes in *Ireland*, shall respectively put this Act in execution in relation to the Duties on Offices and Employments in any such Court or Department as aforesaid; and wherever in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, any Power or Direction is given to the Commissioners for executing the said Act in relation to the Duties on Lands and Tenements to execute the same in their several Districts in relation to the Duties on Offices and Employments of Profit, every such Power and Direction shall, in relation to the Duties on Offices and Employments of Profit in *Ireland*, under this Act, be executed and carried out by the Commissioners for special Purposes.

XXVII. It shall be lawful for any Person who shall be duly assessed by the Commissioners for special Purposes for the Duties on the Profits and Gains described in Schedule (D.) of this

Unions,
&c. in Ire-
land not to
be respon-
sible for
Neglect or
Default of
Collectors.

Who to be
Commis-
sioners
where
there are
not suffi-
cient Offi-
cers in any
Court or
Depart-
ment.

Powers of
Commis-
sioners for
general
Purposes
asto Duties
on Offices
to be exe-
cuted in
Ireland by
Commis-
sioners for
special
Purposes.

Persons as-
sessed un-
der Sched-
ule (D.)
may com-
pound.

this Act, for the First Year for which the said Duties are by this Act granted, to compound for the charging of the Rate of Duty which shall from Time to Time be payable under this Act for each and every Year up to the Fifth Day of *April* One thousand eight hundred and fifty-seven, on the same Amount of such Profits and Gains in which he shall have been so assessed; and it shall also be lawful for any Person who shall be duly assessed as aforesaid for the Year commencing from the said last-mentioned Day in like Manner to compound for the charging of the Rate of Duty which shall then be payable for each and every remaining Year of the Period for which the said Duties are by this Act granted, on the same Amount of such Profits and Gains in which he shall have been so assessed as last aforesaid; and the Consideration for every such Composition shall be the Payment, in each and every Year of the said Composition, of an Addition to the said Duties at and after the Rate of One Shilling for every Twenty Shillings of the said Duties; and every such Composition shall be entered into and made with the Commissioners for special Purposes, under and subject to the Conditions, Rules, and Regulations (*mutatis mutandis*) contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to Compositions under the said last-mentioned Act, and the Contract for the same shall be in such Form as the Commissioners of Inland Revenue shall provide in that Behalf.

Exemption of Persons whose Income is under 100*l.*, and Abatement to those whose Income is under 150*l.* a Year respectively.

XXVIII. The Exemption granted by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, to Persons whose respective Incomes are less than One hundred and fifty Pounds a Year shall be limited and restricted under this Act to Persons whose whole Incomes from every Source are less than One hundred Pounds a Year respectively: Provided always, that any Person who shall be assessed or charged to any of the Duties granted by this Act, or shall have paid the same either by Deduction or otherwise, and who shall claim and prove, in the Manner prescribed by the said Act, that his total Income from every Source, although amounting to One hundred Pounds or upwards, is less than One hundred and fifty Pounds a Year for the Year of the Assessment of his Profits or Gains, shall be entitled to be relieved from so much of the said Duties assessed upon or paid by him as shall exceed the Rate of Fivepence for every Twenty Shillings of his Profits or Gains, and such Relief shall be given either by Reduction or Abatement of the Assessment upon such Person, or by the Repayment to him of so much of the said Excess as he shall have paid, or by both of those Means, as the Case may require; and in *Ireland* the Income arising from the Occupation

tion of Lands, Tenements, or Hereditaments, by any Person claiming such Exemption or Relief as aforesaid, shall be deemed to be One Third of the annual Value on which the same shall be chargeable under Schedule (B.) of this Act; and all the Provisions, Rules, and Regulations contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to the Exemption of Persons whose Incomes are less than One hundred and fifty Pounds a Year, and to the Reduction or Abatement of any Assessment upon such Persons, or to the Repayment to them of any Duties or Sums of Money, shall be observed and applied, so far as the same are applicable (*mutatis mutandis*), to the Exemption of Persons whose Incomes are less than One hundred Pounds a Year, and to the Claims for Relief in the Manner aforesaid to Persons whose Incomes are less than One hundred and fifty Pounds a Year.

XXIX. Provided always, That in computing the Income of any Person for the Purposes of this Act, such Computation, so far as regards any Rent derived from Tenements or Hereditaments in *Ireland* chargeable under Schedule (A.), shall be made after allowing for the Amount of Poor Rates chargeable on such Rent by way of Deduction or otherwise.

XXX. Where, on any Application for Relief or Abatement of Assessment in pursuance of the Provisions contained respectively in Section One hundred and thirty-three and Section One hundred and thirty-four of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and in the Third Section of an Act of the Fourteenth Year of Her Majesty's Reign, Chapter Twelve, it shall be proved to the Satisfaction of the Commissioners to whom such Application shall be made that the total Amount of the Income from every Source of the Person claiming such Relief or Abatement for the Year for which such Assessment was made was under One hundred Pounds, such Person shall be entitled to the same Relief and Repayment respectively as by this Act and the said first-mentioned Act is provided in the Case of Persons claiming Relief on the Ground of their respective annual Incomes being less than One hundred Pounds a Year.

XXXI. In *Ireland* all Claims of Exemption by reason of the Income of any Person being under One hundred Pounds a Year, and all Claims for Relief or Reduction of Assessment on the ground of such Income being under One hundred and fifty Pounds a Year, and all Claims for Return or Repayment of any Duties on either of the Grounds aforesaid, or under any other of the Provisions of this Act or of the Acts herein mentioned or referred to, shall be made in such Manner and Form as the Commissioners of Inland Revenue shall direct and provide

In computing Income from Rent in *Ireland* Poor Rates to be deducted.

Persons claiming Abatement of Assessment, and proving their Income to be under 100*l.* a Year, to be entitled to the same Relief as if they had claimed Exemption on the Ground of their Incomes being under that Amount. Claims of Exemption or for Reduction of Assessment or Repayment of Duty in *Ireland* to

be made to the Commissioners for special Purposes.

vide in that Behalf; and all such Claims shall be made to and shall be adjudicated and finally determined by the Commissioners for special Purposes, or any Two of them: provided that there shall be a like Appeal as regards Claims for Exemptions in *Ireland* to the Assistant Barrister, Chairman, or Recorder (as the Case may require) as is herein-before contained in reference to Persons charged by an Assessment and feeling aggrieved thereby.

The Duties in respect of Tithe Commutation Rent-charges may be assessed on the Owners.

XXXII. In assessing and charging the Duties under Schedule (A.) of this Act in respect of Lands, Tenements, or Hereditaments subject to any Rentcharge under the Act for the Commutation of Tithes in *England*, or any other Rentcharge in lieu of Tithe, it shall be lawful for the Commissioners acting in the Execution of this Act, if they shall think fit, on a due Return of such Rentcharge being made by the Owner thereof in order to an Assessment upon him, to charge and assess such Owner in the Assessment for the said Parish with the Duty under Schedule (A.) of this Act in respect of such Rentcharge, deducting therefrom the Amount of the Parochial Rates, Taxes, and Assessments charged upon or in respect of such Rentcharge in the preceding Year; and in the Case of such Assessment being made upon the Owner of the said Rentcharge, the Amount of such Rentcharge shall be allowed as a Deduction in the Assessment of the Lands, Tenements, and Hereditaments on which the same is charged under the said Act for the Commutation of Tithes.

Allowances to be made in respect of certain Burdens on Tithe Rent-charges in Ireland.

XXXIII. And whereas Tithe Rentcharge belonging to or held by Ecclesiastical Persons or Bodies in *Ireland* is liable, in many Cases, to heavy Charges in respect of the Tax payable to the Ecclesiastical Commissioners for *Ireland*, Poor Rates, the Repayment of Instalments for the building or repairing of Glebe Houses or other Charges: And whereas the Deductions in respect of Income Tax under the Provisions of this Act or the before-recited Act of the Fifth and Sixth Years of Her Majesty's Reign, Chapter Thirty-five, made by any Person paying Tithe Rentcharge to any Ecclesiastical Person or Body entitled to receive the same, would, under the Provisions of this and the said Act, be the Income Tax upon the gross Amount of such Rentcharge; and it is expedient and just that such Ecclesiastical Persons or Bodies should have the benefit of the Allowances herein-after mentioned out of such gross Income, and of a proportionate Remission of Income Tax: It shall be lawful for any Ecclesiastical Person or Body to make Application to the Commissioners for special Purposes, setting forth the Deductions or Charges to which his Income has been subjected during the preceding Year in respect of the Ecclesiastical

siastical Tax aforesaid, Poor Rates, and the other Charges and Matters of the like Nature and Description as those in respect of which the Ecclesiastical Commissioners are directed to make Allowances or Deductions in estimating the Value of a Benefice or other Ecclesiastical Property, with a view to its Taxation, under the Provisions of an Act passed in the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven; and such Person or Body, on Proof to the Satisfaction of the Commissioners for special Purposes that the Income of such Ecclesiastical Person or Body has been actually subjected to such Charges or Deductions, shall be entitled to have repaid to him by the Commissioners of Inland Revenue the Difference between the Amount of Income Tax calculated on the gross Income of such Ecclesiastical Person or Body and the Amount to which such Person or Body would have been liable supposing the Income Tax to have been assessed upon his Income after deducting such Charges as aforesaid.

XXXIV. Provided also, That the Deduction allowed under Schedule (A.), No. V., of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, for the Repairs of Collegiate Churches and Chapels and Chancels of Churches, or of any College or Hall in any of the Universities by any Ecclesiastical or Collegiate Body, Rector, Vicar, or other Person bound to repair the same, shall, in respect of the Duties under Schedule (A.) of this Act, be the Amount of the Sum so expended in the Year preceding that in which the Assessment is made, instead of an average of Twenty-one Years, as in the said Schedule (A.), No V., is mentioned.

XXXV. Where any Occupier for the Time being of any Lands, Tenements, or Hereditaments, being Tenant thereof, shall be called upon and required to pay, and shall have paid, any Sum or Sums assessed upon or in respect of such Lands, Tenements, or Hereditaments, under the said Schedule (A.) of this Act, and which said Sum or Sums, or any Portion thereof, ought, under the Rules for charging the Duties under the said Schedule, to have been paid or to be paid by any former Tenant or Occupier of the same Lands, Tenements, or Hereditaments, or his Executors or Administrators, it shall be lawful for the said Occupier for the Time being to deduct and retain, from and out of any subsequent Payment of Rent to his Landlord, the said Sum or Sums of Money, or any Portion thereof, which ought to have been or to be paid by such former Tenant or Occupier, or his Executors or Administrators as aforesaid: Provided that nothing in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, or in this Act contained shall extend to authorize the levying upon any such

As to Deductions for the Repairs of Collegiate Churches and Chapels, Chancels, &c.

Tenants of Lands who are called upon to pay Arrears due from former Occupiers may deduct the Amount from their Rent.

Occupier for the Time being any Arrear of Duty assessed under Schedule (A.) or Schedule (B.) of this Act which ought to have been levied upon and ultimately paid and borne by any former Occupier of the same Lands, Tenements, or Hereditaments; and provided also, that nothing herein contained shall be deemed or construed to alter, prejudice, or affect any Remedy given by the said Rules for the recovering, and levying of any such Sum or Sums, or any Portion thereof, from or upon such former Tenant or Occupier, or his Executors or Administrators.

Houses let
in several
Tenements
to be
charged on
Landlords.

XXXVI. Any House or Building let in different Apartments or Tenements, and occupied by Two or more Persons severally, shall nevertheless be charged to the Duty under this Act as one entire House or Tenement, and the Assessment thereof shall be made on the Landlord; but in default of Payment by him the Duty so charged and assessed may be levied on the Occupier or Occupiers respectively, and being paid by them or One of them shall be deducted and allowed out of the next or any subsequent Payment on account of Rent.

Deduction
to be al-
lowed un-
der Sched-
ule (A.)
for the Ex-
penses of
making
and repair-
ing Sea
Walls and
Embank-
ments.

XXXVII. In charging the Duty under Schedule (A.) of this Act in respect of Lands, an Allowance and Deduction shall be made for the Amount expended by the Landlord or Owner thereof on an Average of the Twenty-one preceding Years in the making or repairing of Sea Walls or other Embankments necessary for the preservation or Protection of such Lands against the Encroachment or overflowing of the Sea or any Tidal River, although the Sums expended may not have been charged on such Lands by any public Rate or Assessment.

Duties on
Tolls called
Customs
levied in
Burghs in
Scotland
and ex-
pended for
public
Purposes
to be re-
paid.

XXXVIII. Where in any Burgh in *Scotland* Tolls commonly known by the Name of Customs are levied under the Authority of any Act of Parliament or Charter, and are applied and expended in such Burgh in or towards defraying the Expenses of paving, lighting, or cleansing the same, or of the Police thereof, or in or towards discharging any other similar public Burdens, the Duty which may have been assessed and paid under this Act, upon or in respect of such Toll shall, so far as regards so much of the said Tolls as shall have been so expended as aforesaid, on due Proof of all the necessary Facts to the Satisfaction of the Commissioners for Special Purposes, be allowed and repaid under an Order of the said Commissioners in like Manner as in other Cases where Duties are allowed and repaid under the Provisions in that Behalf contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five.

Hop
Grounds

XXXIX. Provided also, that notwithstanding anything in the

the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, contained, all Lands occupied for the Growth of Hops shall be charged to the Duties under Schedule (B.) of this Act according to the general Rules contained in Schedule (B.) of the said first-mentioned Act, and not by estimating the Profits of such Lands according to the Rules contained in Schedule (D.) of the said Act.

XL. Every Person who shall be liable to the Payment of any Rent, or any yearly Interest of Money, or any Annuity or other annual Payment, either as a Charge on any Property or as a personal Debt or Obligation by virtue of any Contract whether the same shall be received or payable half-yearly or at any shorter or more distant Periods, shall be entitled and is hereby authorized, on making such Payment, to deduct and retain thereout the Amount of the Rate of Duty which at the Time when such Payment becomes due shall be payable under this Act, that is to say, Sevenpence, Sixpence, or Fivepence, as the Case may be, for every Twenty Shillings of such Payment; and the Person liable to such Payment shall be acquitted and discharged of so much Money as such Deduction shall amount unto, as if the Amount thereof had actually been paid unto the Person to whom such Payment shall have been due and payable; and the Person to whom such Payment as aforesaid is to be made shall allow such Deduction, upon the Receipt of the Residue of such Money, under pain of forfeiting the Sum of Fifty Pounds for any Refusal so to do: Provided always, that no Tenant or Occupier of any Property chargeable under Schedule (A.) of this Act shall be entitled to deduct or retain out of the Rent thereof any greater Sum than the Amount of the Duty which shall have been assessed and charged upon or in respect of such Property, and actually paid by such Tenant or Occupier.

XLI. Provided always, That whenever any Person liable to the said Duties chargeable in *Ireland* under the said Schedule (A.) shall be entitled to retain a proportionate Amount of such Duties from any Annual Payment from which he is now by Law entitled to deduct any Sum on Account of Poor Rates, he shall be entitled to retain such Proportionate Amount only upon the net Sum payable by him after the Allowance for Poor Rates.

XLII. And whereas under certain Acts of Parliament Advances of Public Money to promote the Improvement of Lands have been made by way of Loan, and in *Ireland* under an Act passed in the Tenth Year of Her Majesty, Chapter Ten, and any Acts amending the same, and under an Act passed in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-nine,

to be charged under Schedule (B.) as other Lands.

Deductions of Duty on Payment of Rent, Interest, &c.

Deductions to be made from the net Payment after allowing for Poor Rate in Ireland.

Deduction of Duty to be allowed on Payment of Rent-charges under the

Drainage
Advances
Acts.

Eighty-nine, for River Drainage, and any Acts amending the same, and the Repayment thereof has been secured by a Rentcharge upon such Lands to be paid for a Term limited by the said Acts respectively, and by which the Principal Sums advanced will eventually be repaid with Interest thereon, and it is just that Provision should be made for deducting and allowing the Duty charged by this Act in proportion to such Interest on the Payment of such Rentcharge: It shall be lawful for any Person paying any such Rentcharge from Time to Time to deduct and retain thereout in respect of the Duty chargeable under this Act One Third Part of the Sum which the Rate of such Duty computed on such Rentcharge will amount to and no more, and the Collectors and Receivers of such Rentcharges are hereby required to allow such Deduction upon Receipt of the Residue of such Rentcharge then due.

No Action
of Eject-
ment in
Ireland to
be defeat-
ed on
Ground of
Deduct-
ions re-
ducing the
Amount
due under
a Year's
Rent.

XLIII. No Action of Ejectment for Nonpayment of Rent in *Ireland* shall be defeated on the Ground that the Person liable to pay such Rent is entitled, under the Provisions of this Act or any Act incorporated therewith, to a Deduction which would reduce the Amount due by him under a Year's Rent.

Occupiers
of Lands,
&c. having
made true
Returns of
their an-
nual Value
not re-
quired to
make fur-
ther Re-
turns for
subse-
quent
Years.

XLIV. The Occupiers of Lands, Tenements, and Hereditaments who shall make true and correct Statements and Returns, as required by the said Acts, of the annual Value of all such Lands, Tenements, and Hereditaments in their respective Occupations, in order to an Assessment of the Duties chargeable thereon, under the respective Schedules (A.) and (B.) of this Act, for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-three, shall not (unless they shall appeal against the Continuance of the same Assessment for any subsequent Year) be required to make any further Statements or Returns of such annual Value in respect of the same Premises until the Year One thousand eight hundred and fifty-seven; and in like Manner such Occupiers as aforesaid who shall make true and correct Statements and Returns in order to an Assessment of the said Duties for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-seven shall not (unless they shall appeal against the Continuance of such last-mentioned Assessment) be required to make any further Statements or Returns in respect of the same Premises for any subsequent Year of the Period for which the said Duties are by this Act granted.

Assess-
ments un-
der Sche-
dules (A.)
and (B.) to
be conti-
nued in

XLV. The Assessments to be made for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-three of the Duties chargeable under the respective Schedules (A.) and (B.) of this Act shall be and remain in force, and the several Sums charged and assessed therein shall
be

be collected and levied also, for the Second Year for which the same Duties are by this Act granted, without altering the Names of the Parties charged, notwithstanding any Change in the Occupation of the Premises in respect of which any such Assessment may be made; and the same Assessments reduced and abated in proportion to the reduced Duties which will then be chargeable under this Act shall in like manner be collected and levied for the Third and Fourth Years respectively; and in like Manner also the Assessments to be made of the said Duties for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-seven shall be and remain in force, and the several Sums charged and assessed therein for the said last-mentioned Year shall also be collected and levied, for each and every remaining Year of the Period for which the said Duties are by this Act granted: Provided always, that the Continuance of any such Assessment for the Second or any subsequent Year shall be subject to the Conditions, Rules, and Regulations in that Behalf contained in Section Eighty-seven of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to the Continuance of Assessments made under that Act.

XLVI. The Relief granted by the Third Section of the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Twelve, to Persons occupying Lands for the Purposes of Husbandry only, and obtaining their Livelihood principally from Husbandry, shall be extended and granted to every Person occupying Lands as Tenant thereof for the Purposes of Husbandry only, although he may not obtain his Livelihood principally from Husbandry, as well as to every Person occupying Lands for the Purposes aforesaid, being the Owner thereof, and obtaining his Livelihood principally as aforesaid.

XLVII. Whereas by the Eighty-first Section of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, if upon Appeal any Dispute shall arise touching the annual Value of any Lands, Tenements, or Hereditaments, the Commissioners are authorized, if they deem it necessary, to direct that a Valuation thereof shall be taken and made by a Person of Skill to be named by the said Commissioners: It shall be lawful for the Appellant, as well as the said Commissioners, upon any such Appeal, to require that such Valuation as aforesaid shall be made, and the said Commissioners, on being required so to do by the Appellant, as well as in Cases where they may deem it necessary, shall name a Person of Skill to make such Valuation; and upon such Valuation being verified on the Oath of the Person making the same, the Assessment shall be made according thereto.

XLVIII. The

force for
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Years.

Relief
granted by
13 & 14
Vict. c. 12.
s. 3 to
Persons
occupying
Lands for
the Pur-
poses of
Husban-
dry, ex-
tended in
the Case
of Tenant
Farmers.
Appellants
may re-
quire Com-
missioners
to appoint
a Valuer
to value
Lands.

Duty on Professions to be charged on an Average of the Profits of Three Years.

XLVIII. The Duty to be charged under Schedule (D.) in respect of Professions, Employments, or Vocations not contained in any other Schedule of this Act shall be computed on a Sum not less than the full Amount of the Balance of the Profits, Gains, and Emoluments of such Professions, Employments, or Vocations upon a fair and just Average of Three Years, instead of the Amount of Such Profits, Gains, and Emoluments within the preceding Year, as directed by the Rules of Schedule (D.) in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, but subject in all other respects to the said last-mentioned Rules.

Friendly Societies legally established entitled to Exemption under both Schedule (C.) and Schedule (D.)

XLIX. Any Friendly Society legally established under any Act of Parliament relating to Friendly Societies, and which does not assure or grant to any Individual any Sum or Annuity to an Amount which would debar such Society from the Benefit of the Exemption granted to Friendly Societies by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in respect of their Stocks, Dividends, and Interest chargeable under Schedule (C.) of the said Act, shall be entitled to Exemption under this Act, as well in respect of all their Interest and other Profits and Gains chargeable under Schedule (D.) as in respect of their Stocks, Dividends, and Interest chargeable under Schedule (C.) of this Act.

In estimating Profits under Schedule (D.) doubtful Debts to be valued.

L. In ascertaining, estimating, or assessing the Profits of any Person chargeable under Schedule (D.) of this Act, either upon Appeal or otherwise, it shall be lawful to estimate the Value of all doubtful Debts due or owing to such Person; and in the Case of the Bankruptcy or Insolvency of the Debtor, the Amount of the Dividend which may reasonably be expected to be received on any such Debt shall be deemed to be the Value thereof, and the Duty chargeable under the said Schedule shall be assessed and charged upon the estimated Value of all such doubtful Debts accordingly.

Expenses necessarily incurred in the Performance of the Duties of a public Office to be deducted from the Amount of Salary, &c. to be assessed.

LI. In assessing the Duty chargeable under Schedule (E.) of this Act in respect of any public Office or Employment where the Person exercising the same is necessarily obliged to incur and defray out of the Salary, Fees, or Emoluments of such Office or Employment the Expenses of travelling in the Performance of the Duties thereof, or of keeping and maintaining a Horse to enable him to perform the same, or otherwise to lay out and expend Money wholly, exclusively, and necessarily in the Performance of the Duties of his Office or Employment, it shall be lawful to deduct from the Amount of the said Salary, Fees, and Emoluments to be assessed under this Act the Amount of all such Expenses and Disbursements necessarily incurred and defrayed in manner aforesaid.

LII. In

LII. In assessing the Duty chargeable under any Schedule of this Act upon any Clergyman or Minister of any Religious Denomination in respect of any Profits, Fees, or Emoluments of his Profession or Vocation, it shall be lawful to deduct from such Profits, Fees, or Emoluments any Sum or Sums of Money paid or Expenses incurred by him wholly, exclusively, and necessarily in the Performance of his Duty or Function as such Clergyman or Minister: and if such Sum or Sums or Expenses shall not have been deducted as aforesaid, then a proportionate Part of the Duty charged and paid by such Clergyman or Minister shall, on due Proof to the Commissioners of such Sum or Sums having been expended as aforesaid, be repaid to such Clergyman or Minister.

Abatement of Duty to be made to Clergymen for Expenses incurred in Performance of their Duties.

LIII. Where any Person who shall hold or exercise any public Office or Employment of Profit shall at any Time or Times during or for or in respect of any Year of Assessment become entitled to any additional Salary, Fees, or Emoluments, beyond the Amount for which any Assessment may have been made upon him, or beyond the Amount for which at the Commencement of such Year he may have been liable to be assessed, an additional or supplemental Assessment shall from Time to Time, as often as the Case shall require, be made upon such Person for such additional Salary, Fees, or Emoluments, so that he shall be assessed and charged for the full Amount of the whole of the Salary, Fees, and Emoluments which he shall receive or become entitled to at any Time, and from Time to Time during or for or in respect of the said Year of Assessment.

Public Officers becoming entitled to increased Salaries, &c. to be charged for the same by supplemental Assessment.

LIV. Any Person who shall have made Insurance on his Life or on the Life of his Wife, or shall have contracted for any Deferred Annuity on his own Life or on the Life of his Wife, in or with any Insurance Company which shall become registered under any Act to be passed in the present Session of Parliament for that Purpose, and which shall comply with the Requirements of such Act, and any Person who shall under any Act of Parliament be liable to the Payment of an annual Sum, or to have an annual Sum deducted from his Salary or Stipend, in order to secure a Deferred Annuity to his Widow or a Provision to his Children after his Death, shall be entitled to deduct the Amount of the annual Premium paid by him for such Insurance or Contract or the annual Sum paid by him or deducted from his Salary or Stipend as aforesaid, from any Profits or Gains in respect of which he shall be liable to be assessed under either of the Schedules (D.) or (E.) of this Act, or to have any Assessment which may be made upon him under either of the said Schedules reduced or abated by the Deduction of the Amount of the said annual Premium

Persons who have made Insurance or contracted for a deferred Annuity on the Lives of themselves or Wives to be allowed an Abatement of Duty in respect of the Annual Premiums made.

from

from the Amount of the Profits or Gains on which such Assessment has been made; or if such Person shall be assessed to Duties under any of the Schedules contained in this Act, and shall have paid such Assessment, or shall have paid or been charged with any of the said Duties by Deduction or otherwise, such Person, on Claim made to the Commissioners for special Purposes, and on Production to them of the Receipt for such annual Payment, and on Proof of the Facts to the Satisfaction of the said Commissioners, shall be entitled to have repaid to him such Proportion of the said Duties paid by such Person as the Amount of the said annual Premium bears to the whole Amount of his Profits and Gains on which he shall be chargeable under all or any of the Schedules of this Act: Provided always, that no such Abatement, Allowance, or Repayment as aforesaid shall be made in respect of any such annual Premium beyond One Sixth Part of the whole Amount of the Profits and Gains of such Person so chargeable as aforesaid, nor shall any such Deduction or Abatement entitle any such Person to claim total Exemption or any Relief from Duty on the Ground of his Profits and Gains being thereby reduced below One hundred or One hundred and fifty Pounds, as the Case may be.

Persons who have removed before appealing may be allowed to appeal to the Commissioners of the District to which they have removed.

LV. Where any Person assessed or charged to any of the Duties under this Act shall have removed from the District within which the Assessment or Charge upon him was made without having appealed against such Assessment or Charge in such District, it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, on the Application of such Person, to authorize and empower the Commissioners of the District to which such Person shall have removed as aforesaid to hear and determine his Appeal against such Assessment or Charge, and in every such Case the said last-mentioned Commissioners shall have full Power and Authority, and they are hereby required to hear and determine such Appeal accordingly, and any Sum or Sums from which such Person may not be relieved on such Appeal shall be recovered and levied in the same Manner as if such Appeal had been heard and determined by the Commissioners of the District in which such Assessment or Charge was made.

Penalty for inducing Persons to make false Returns of Profits or of the Value of Lands.

LVI. If any Person shall knowingly and wilfully aid, abet, or assist, or incite or induce, any other Person to make or deliver any false or fraudulent Account, Statement, or Declaration of or concerning any Profits or Gains chargeable under this Act, or of the yearly Rent or Value of any Lands, Tenements, or Hereditaments, or of any Matters or Things affecting such Rent or Value, such Persons so offending shall for every such Offence forfeit the Sum of Fifty Pounds.

LVII. In

LVII. In lieu of the Allowances by the said Act of the Fifth and Sixth Years of Her present Majesty directed to be granted to the Clerk of the respective Commissioners for the due Performance of the Duties of his Office, there shall be granted the following Allowances respectively : (that is to say), the Clerk of the respective Commissioners who shall duly perform the Duties of his Office within the respective Times limited by Law in that Behalf, and shall have borne and sustained the incidental Expenses mentioned in the said Act, shall, by Warrant under the Hands of the said Commissioners, have and receive from the respective Officers for Receipt Twopence in the Pound on the net Amount of the Sums assessed and charged in the Duplicates of Assessment, after all Appeals heard and determined, and all just Reductions, Abatements, and Discharges made from such Assessments and Duplicates respectively ; and the Clerk who shall not have borne and sustained such incidental Expenses shall by like Warrant have and receive One Penny in the Pound of such net Amount of the Sums assessed and charged as aforesaid, after all such Reductions, Abatements, and Discharges as aforesaid, provided he shall have duly performed the Duties of his Office in the Manner mentioned in the said Act, and not otherwise : Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury to cause such further Allowance to be made to such Clerk as aforesaid who shall have faithfully performed his Duty under this Act, and shall have borne and sustained such incidental Expenses as aforesaid, of any Sum not exceeding One Penny in the Pound on the Amount of such Part of the gross Assessment as shall have been discharged on Occasion of Claims for Exemption or Abatement made or allowed under this Act on the Ground of Income being below One hundred and fifty Pounds and One hundred Pounds a Year respectively, as the said last-mentioned Commissioners shall, on Consideration of the Extent and Population of the District and the Number of such Claims, think proper to direct ; and the Certificate of the Commissioners of Inland Revenue shall be an Authority to the Officers for Receipt respectively to pay such further Allowance.

Allow-
ances to
Clerks to
Commis-
sioners.

LVIII. The several Collectors of the Duties granted by this Act in *Ireland* shall have and receive such Rate of Poundage on the Money of the said Duties which they shall respectively collect and pay to the proper Officer for Receipt, or such other reasonable Remuneration for their Service, Pains, and Labour respectively in executing this Act, as the Commissioners of Her Majesty's Treasury shall by any Warrant from Time to Time order and direct in that Behalf.

Collectors
in Ireland
to have
such Pound-
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other re-
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tion as the
Treasury
may order.

Com-
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Continu-
ance of the
Act.

LIX. This Act shall commence and take effect from and after the Fifth Day of *April* One thousand eight hundred and fifty-three, and together with the Duties therein contained shall continue in force until the Sixth Day of *April* One thousand eight hundred and sixty, and no longer: Provided always, that this Act and the said Duties shall not then cease with respect to any Assessment which ought to have been made before the said last-mentioned Day, but which shall not then have been made and completed, nor with respect to any of the said Duties which shall have been assessed and shall then remain unpaid, nor with respect to any Penalty before then incurred, nor with respect to any Deduction of the said Duties or any Portion thereof authorized by Law to be made out of any Rent, Interest, or other annual Payment which shall become due or payable before the said last-mentioned Day, nor with respect to any Penalty for refusing to allow any such Deduction, although such Refusal may be after the said last-mentioned Day, nor shall the said Duties cease in any Case where the Assessments for the preceding Year shall not have been completed before the said Sixth Day of *April* One thousand eight hundred and sixty, but all the Powers and Provisions of this Act shall continue in force for making and completing all such Assessments as aforesaid, and for levying and recovering the Duties so assessed or to be assessed, and all Arrears of such Duties, and also for re-assessing the same in default of Payment in the Manner herein directed, and for making and allowing such Deduction as aforesaid, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred.

CAP. XXXV.

An Act to make Provision concerning the future Regulation of certain Appointments connected with Cathedral and Collegiate Churches, and concerning certain of the Estates of the Deans and Chapters of York and Carlisle.—[8th July 1853.]

CAP. XXXVI.

CAP. XXXVI.

An Act for disafforesting the Forest of Whichwood.—
[8th July 1853.]

CAP. XXXVII.

An Act to impose additional Duties on Spirits in Scotland and Ireland ; and to alter the Countervailing Duties on Spirits the Manufacture of Guernsey, Jersey, Alderney, or Sark, imported into Scotland or Ireland, and the Countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between Scotland, Ireland, and England respectively ; and to amend the Laws relating to the collecting and securing the Duties of Excise upon Spirits.—[8th July 1853.]

WHEREAS it is expedient to impose additional Duties of Excise on Spirits in *Scotland* and *Ireland* respectively, and to increase the Countervailing Duties now chargeable on Spirits the Manufacture of the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, imported into *Scotland* or *Ireland*, and also to alter the Countervailing Duties and Drawbacks of Excise now payable upon the several Mixtures, Compounds, Preparations, and Commodities mentioned and described in the respective Schedules (A.) and (B.) to this Act annexed on the Removal of the same between *Scotland*, *Ireland*, and *England* respectively ; and it is also expedient to amend the Laws relating to collecting and
securing

securing the Duties of Excise upon Spirits: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of
additional
Duties of
Excise on
Spirits in
Scotland
and Ire-
land.

I. In addition to the Duties of Excise now payable under any Act or Acts in force on Spirits in *Scotland* and *Ireland* respectively, there shall be charged, raised, levied, collected, and paid, upon every Gallon of Spirits of the Strength of Hydrometer Proof which shall on or after the Twenty-First Day of *April* One thousand eight hundred and fifty-three be distilled in *Scotland* and *Ireland* respectively, or be in the Stock, Custody, or Possession of any Distiller in *Scotland* or *Ireland*, or which, having been distilled in *England*, *Scotland*, or *Ireland*, shall, on or after the said Day, be in Warehouse in *Scotland* or *Ireland*, and be taken out of Warehouse for Consumption in *Scotland* or *Ireland*, or which, having been taken out of Warehouse in *England* for Removal to *Scotland* or *Ireland*, shall, on or after the said Day, be brought into *Scotland* or *Ireland*, the additional duty following; that is to say, in *Scotland* the additional Duty of one Shilling, and in *Ireland* the additional Duty of Eightpence, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity.

New Coun-
tervailing
Duties on
Spirits the
Manufac-
ture of the
Channel
Islands,
imported
into Scot-
land and
Ireland.

II. On and after the said Twenty-first day of *April* One thousand eight hundred and fifty-three, in lieu of the Countervailing Duties now chargeable under any Act or Acts in force on Spirits of the Nature or Quality of plain *British* Spirits manufactured or distilled in the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, and imported from any of the said Islands into *Scotland* or *Ireland*, there shall be charged and paid the following Countervailing Duties; that is to say,

For and upon every Gallon of such last-mentioned Spirits of the Strength of Hydrometer Proof imported into *Scotland*, the Sum of Five Shillings and Tenpence;

And for and upon every Gallon of such last-mentioned Spirits of the like Strength imported into *Ireland*, the Sum of Four Shillings and Sixpence;

and so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits imported into *Scotland* and *Ireland* respectively.

New Coun-
tervailing
Duties and
Draw-
backs on

III. In lieu of the respective Duties and Drawbacks of Excise now payable under any Act or Acts in force upon the several Mixtures, Compounds, Preparations, and Commodities mentioned and described in the respective Schedules (A.) and (B.)

(B.) to this Act, on the removal of the same respectively, as herein-after mentioned, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said several Mixtures, Compounds, Preparations, and Commodities which on or after the said Twenty-first day of *April* One thousand eight hundred and fifty-three shall be removed from *Scotland* or *Ireland* to *England*, or from *Ireland* to *Scotland*, the several Sums of Money and Duties of Excise as they are respectively inserted, described, and set forth in the Schedule (A.) to this Act annexed; and there shall be allowed and paid, in respect of all such Mixtures, Compounds, Preparations, and Commodities, which on or after the said last-mentioned Day shall be removed from *England* to *Scotland* or *Ireland*, or from *Scotland* to *Ireland*, the several Drawbacks of Excise inserted, described, and set forth in the Schedule (B.) to this Act annexed.

Removal of Spirit Mixtures and Compounds between Scotland, Ireland, and England.

IV. The said several Duties and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, applied, and allowed respectively in such and the like Manner, and by the same Means, Ways, or Methods, by which other Duties and Drawbacks of Excise on and in respect of Spirit and Spirit Mixtures, Compounds, and Preparations, are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied, and all Acts relating to the Duties and Drawbacks of Excise, respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall respectively be applied, practised, and put in execution for and in respect of the said Duties and Drawbacks hereby granted, imposed, and allowed respectively, in as full and ample a Manner, to all Intents and Purposes, as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the body of this Act with reference to the said Duties and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

Additional Duties and Drawbacks to be under the Management of the Commissioners of Inland Revenue, and be raised and allowed under the same Provisions as former Duties and Drawbacks.

V. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three, no Spirit Receiver shall be used in any Distillery which shall not be made, placed, and fixed to the Satisfaction of the Commissioners of Inland Revenue, and

Spirit Receivers to be filled to the Depth of Fifteen Inches.

be of a Depth sufficient to admit of the Gauge of the Spirits in such Receiver being taken of the Depth of Fifteen Inches at the least in the centre of such Receiver, and every such Receiver shall be so filled with Spirits that at the Time of gauging the same for the Purpose of charging the Duty thereon the Depth of Spirits therein shall not be less than Fifteen Inches ; and if any Spirit Receiver shall be made use of in any Distillery which shall not be so made, placed, and fixed as aforesaid, or which shall not be of a Depth sufficient to admit of the Gauge of the Spirits therein being taken of the Depth aforesaid, or if any Distiller shall neglect or refuse to cause any Spirit Receiver used in his Distillery to be so filled with Spirits that at the Time of gauging the same as aforesaid the Depth of Spirits therein shall not be less than as aforesaid, unless from any unavoidable Cause or Circumstance he shall be unable so to do, he shall forfeit for every such offence the Sum of Fifty Pounds.

Commissioners may allow Spirit Receivers already erected of a less Depth than Fifteen Inches to be used. Mode of charging Spirits in such Case.

VI. Provided always, That it shall be lawful for the Commissioners of Inland Revenue to allow the Use of any Receiver which before the passing of this Act shall have been erected and in use in any Distillery, although the same may be of so large an Area that the Spirits distilled from the Wash contained in the respective Wash-backs of such Distillery may be insufficient to fill such Receiver to the Depth aforesaid, and in such Case, as well as in any other Case in which the Depth of Spirits in any Spirit Receiver shall be less than Fifteen Inches, the Charge of Spirits in any such Receiver shall be made on the next Tenth Part of an inch marked on the graduated Scale on the Dipping-rod above the Point which the Dip of such Spirits in such Receiver shall indicate thereon, and the said next Tenth on such graduated Scale shall be deemed to be the actual Dip of such Spirits, and the proper Officer shall enter the same in his Survey Book, and Charge the Duty accordingly, making an Allowance to the Distiller of One Half of a gallon in every One hundred Gallons of the Quantity so charged, computed at the Strength of Hydrometer Proof.

Commissioners may order more than One Dipping-place to be made in Spirit Receivers.

VII. It shall be lawful for the Commissioners of Inland Revenue, in any Case in which they shall see fit, to order and direct that there shall be Two or more Dipping-holes of the Form and Dimensions prescribed by Law in that Behalf in the Cover of any Spirit Receiver, and in the Cover of any Store Cask or Vat, used in any Distillery, and such Dipping-holes shall be made in such Places in the Cover of such Receiver, Store Cask and Vat respectively, as the said Commissioners shall direct in that Behalf, and in One of such Dipping-holes in the Spirit Receiver there shall be placed such Dipping-rod

as shall be provided by the proper Officer, who shall secure the same in such Manner as to him shall seem expedient to prevent the Removal thereof out of any such Vessel as aforesaid, and each of the other Dipping-holes in the Spirit Receiver and also the Dipping-holes in the Store Cask or Vat shall be secured in such Manner as the Supervisor of Excise shall think proper; and if any Distiller shall refuse or neglect to cause such Dipping-holes or any additional Dipping-holes to be made pursuant to any Order or Direction of the said Commissioners in any Spirit Receiver, or in any Spirit Store Cask or Vat, used in his Distillery, or if any Distiller shall remove any such Dipping-rod out of any such Receiver, or remove any Fastening from any such Dipping-hole, or otherwise gain Access to the Spirits in any such Vessel as aforesaid by means of any such Dipping-hole, such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds.

VIII. All Spirits distilled in any Distillery shall, after the proper Officer shall have taken an Account of the Quantity and Strength thereof, be forthwith removed and conveyed through a close Metal Pipe from the Spirit Receiver into an entered Store Cask or Vat in the entered Spirit Store of such Distillery, and every such Store Cask and Vat respectively shall be a close covered Vessel, and shall be secured with proper and sufficient Fastenings for securing the Spirits therein to the Satisfaction of the proper Supervisor or other superior Officer, which said Fastenings shall be provided and kept in proper Repair by and at the expense of the Distiller; and if any Distiller shall refuse or neglect to cause all such Spirits to be removed and conveyed in manner aforesaid into such entered Store Cask or Vat as aforesaid, or shall refuse or neglect to provide and fix and maintain such Fastenings as aforesaid for securing such Store Cask or Vat and the Spirits therein, in manner aforesaid, he shall forfeit the Sum of Two hundred Pounds.

Spirits to be removed from Receiver into entered Store Vat or Cask.

IX. There shall be a proper Spirit Store in every Distillery for keeping and securing the Spirits distilled thereat, and every such Spirit Store shall be a secure Room or Place approved by the Commissioners of Inland Revenue, and provided with proper Fastenings for the Purpose of locking up and securing the same to the Satisfaction of the proper Supervisor or other superior Officer, all which Fastenings shall be provided and fixed and from Time to Time maintained by and at the Expense of the Distiller; and every such Spirit Store shall be kept locked up by the proper Officer in charge of such Store, at all Times, except when such Officer shall be in attendance; and it shall be lawful for the Commissioners of Inland Revenue to refuse to grant and to prohibit the granting of any Licence to keep a Still

A proper Spirit Store to be provided in every Distillery.

Still for the distilling of Spirits to any Person until he shall have provided and made in his Distillery a proper Store approved as aforesaid, and it shall also be lawful for the said Commissioners to suspend or revoke any such Licence which may at any Time have been granted to any Distiller, unless and until he shall have provided and made such Store, and until he shall have provided and fixed such Fastenings for securing the same in manner aforesaid.

Duty on
Spirits lost
or destroy-
ed by Fire
or other
Accident
to be re-
mitted.

X. If any Spirits shall be lost or destroyed by fire or other unavoidable Accident while such Spirits are deposited in the Spirit Store of any Distillery or whilst such Spirits are being received into or delivered out from such Store, or if any Spirits or any Wash or other exciseable Materials for making Spirits in any Distillery shall be lost or destroyed in manner aforesaid, it shall be lawful for the Commissioners of Inland Revenue, on Proof of such Loss or Destruction being given to their Satisfaction, to remit the Duty payable or paid in respect of such Spirits, Wash, or other Material so lost or destroyed, as well as the Duty on any Malt which may have been used in the making of any such Spirits or Wash.

Officer in
charge of
Spirit
Store to at-
tend daily.

XI. The Officer in charge of every such Spirit Store shall attend thereat daily (*Sundays* excepted) from the Hour of Five o'Clock in the Morning until Eight o'Clock in the Evening, and all Spirits in any such Spirit Store shall be filled into the Casks in the Presence of such Officer, in such Manner and under such Regulations as the Commissioners of Inland Revenue shall in that Behalf direct, and such Officer shall take an Account of the Weight or Measure and Strength of all such Spirits.

The true
Content to
be marked
on move-
able Casks.

XII. Every Distiller shall cause to be legibly cut, branded, or painted on the Outside of Both of the Heads or Ends of every rolling or moveable Cask used in his Distillery for keeping or delivering out Spirits, and shall at all Times keep thereon so cut, branded or painted, the full and true Number of Gallons, and also any Quarter or Quarters of a Gallon over and above any Number of entire Gallons, which any such Cask shall be capable of containing; provided that where the Contents of any Cask shall exceed Eighty Gallons, then in lieu of such Quarter or Quarters of a Gallon any fractional Part amounting to Three Fourths or more of a Gallon which any such Cask shall be capable of containing over and above any Number of entire Gallons shall be reckoned as a whole Gallon, and included in the Number of Gallons to be so cut, branded, or painted as aforesaid on such Cask; and if any such Cask which shall be used for the Purpose aforesaid shall not have so cut, branded, or painted thereon in manner aforesaid the full and true Number of Gallons as aforesaid, and in the Case of a Cask not ex-
ceeding

ceeding Eighty Gallons the Quarter or Quarters of a Gallon, according to the Directions of this Act, such Cask, together with any Spirits contained therein, shall be forfeited, and may be seized by any Officer of Excise.

XIII. It shall not be lawful for any Officer of Excise to grant any Permit for the Removal of any Spirits from the Stock of any Distiller, except for such Spirits as shall be sent or delivered into Warehouse, pursuant to the Provisions of the Acts in that Behalf, unless such Distiller shall produce to such Officer the Receipt of the Collector of Excise for the Duty on such Spirits, nor unless such Distiller shall suffer such Officer to endorse on such Receipt the Quantity of Spirits for which such Permit is required, and the Date of such Permit; and every such Officer is hereby required to make such Endorsement accordingly.

XIV. All the Spirits which shall be distilled at any Distillery during One distilling Period shall be removed from the entered Spirit Store, and the Duty thereon paid for Consumption, or shall be conveyed to and deposited in a Warehouse, under the provisions of the Acts in that Behalf, within Six Days after the Termination of such distilling Period, and before any Spirits of a succeeding distilling Period are brought into such Store; and if any Spirits of One distilling Period (other than a Quantity not exceeding One hundred and fifty Gallons, and in One Ullage Cask) shall be and remain in any such Store at any Time after Six Days from the Termination of such distilling Period, or if within the said Term of Six Days any Quantity of the Spirits of One distilling Period (other than such Quantity and in such Cask as aforesaid) shall be and remain in any such Store at any Time after any Spirits of any succeeding distilling Period are brought into the same Store or into any other such Store at the same Distillery, the Distiller shall forfeit for every Gallon of Spirits of such former Period so remaining in such Store in either of the Cases aforesaid the Sum of Twenty Shillings.

XV. When all the Spirits distilled at any Distillery in any One distilling Period shall have been removed from the Spirit Store, as herein-before required, or at the Expiration of Six Days after the Termination of such distilling Period, a Balance shall be struck by the proper Officer in the Stock Account kept by him for such Distillery, and in the Return to be made by such Officer of the Quantity of Spirits for which the Distiller shall have become chargeable during the preceding distilling Period an Allowance shall be made to such Distiller of any Deficiency in Stock occasioned by natural Waste, not exceeding the Proportion of One Gallon for every One hundred

Officer shall not grant Permit for the Removal of Spirits out of Distillery, except to Warehouse, until Collector's Receipt for the Duty shall be produced to him.

All Spirits distilled during distilling Period to be removed from entered Spirit Store within Six Days after Termination of such Period.

Balance to be struck in Stock Account, and Allowance made for Deficiency occasioned by natural Waste.

Gallons at Hydrometer Proof of the Spirits removed from the Spirit Receiver to the Spirit Store; and if the Deficiency shall exceed such Proportion, then an Allowance shall be made in respect thereof to the Extent of the Rate and Proportion aforesaid; provided that if the Deficiency shall exceed the Proportion of Three *per Cent.* on Such Spirits so removed as aforesaid, no Allowance whatever shall be made in respect thereof.

No Spirits but from the Receiver to be placed in Spirit Store.

XVI. No Spirits shall be placed in the entered Spirit Store of any Distillery other than such Spirits as shall be conveyed directly from the Spirit Receiver of such Distillery into such Store, nor shall any Spirits which have been removed from any such Store be again brought into the same from any Place whatever.

Distiller's Stock Account of Proof Spirits to be kept by Officer.

XVII. The proper Officer of Excise shall, as often and at such Time and Times as he shall think fit, take and keep an Account by way of Debtor and Creditor of the Stock of Spirits in the Distillery and Store of every Distiller, and shall in such Account debit such Stock with the full Quantity of Spirits computed at Hydrometer Proof which shall be from Time to Time duly conveyed, pursuant to this Act, into such Stock from the Spirit Receiver in such Distillery, and shall credit such Stock with the full Quantity of Spirits computed at Hydrometer Proof which shall be from Time to Time sent out of such Stock under legal Permit; and if at any Time the Quantity of such Spirits which shall be found in the Stock or Possession of any such Distiller shall be greater than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, all such Excess Quantity of Spirits shall be forfeited, and may be seized by any Officer of Excise, and every such Distiller shall forfeit the Sum of Twenty Shillings for each and every Gallon of such excess Quantity of Spirits; and if at any Time the Quantity of Spirits in the Stock or Possession of any Distiller shall be less than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, every such Distiller, whenever such Deficiency shall appear, shall forfeit the Sum of Twenty Shillings for every Gallon of Spirits which shall be so deficient; which said respective Penalties of Twenty Shillings for every Gallon of Spirits in excess or deficiency in the Quantity of Spirits which ought to be in the Stock or Possession of such Distiller shall not be mitigated or reduced to any less Sum by the Court before which the Complaint or Information for Recovery thereof shall be heard and determined, anything in any Act or Acts of Parliament to the contrary notwithstanding: Provided always, that no Distiller shall be liable

liable to such Penalty or Forfeiture in any Case where such Excess shall not exceed One Half *per Centum*, or where such Decrease or Deficiency shall not exceed Three *per Centum*, on the Quantity of Spirits formed by the Balance left on the last stocking, and the Quantity of Spirits since duly brought into Stock from the Spirit Receiver, nor in any Case where such Distiller shall prove to the Satisfaction of the Commissioners of Inland Revenue that such Decrease did not result from any Fraud practised or intended ; but in any Case of Excess where no Penalty or Forfeiture shall be incurred and prosecuted for, the Duty on such Excess shall be charged against the Distiller.

XVIII. It shall be lawful for any Distiller to warehouse any Spirits distilled in his Distillery in Casks containing not less than Nine Gallons each, subject to and under in all other respects the Provisions, Rules, and Regulations, Penalties and Forfeitures, in force relating to the distilling, warehousing, and Removal of such Spirits.

XIX. Notwithstanding anything contained in the Act passed in the Fourth Year of King *George* the Fourth, Chapter Ninety-four, and the Act passed in the Sixth Year of the said King, Chapter Eighty, and in the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred and twenty-two, or any of the said Acts respectively, it shall be lawful to send out or remove from any Distillery, either for Consumption or into any Warehouse, Spirits in any Quantity not less than Ten Gallons in any One Cask, provided such Spirits be of the respective Strengths, or One of them, specified in the said Acts respectively, or within Six Tenths of One *per Centum* over or under the said Strengths specified in the said Acts respectively of the Fourth and Sixth Years of the said King, or within the like Degree under the Strength specified in the said Act of the Eleventh and Twelfth Years of Her Majesty, and provided that the true and exact Quantity and Strength of all such Spirits be expressed in the Permit accompanying the same ; and no Spirits shall be sent out or removed from any Distillery in any Cask containing a less Quantity than as aforesaid, or in any other Manner than as prescribed by the said respective Acts (save as herein provided), under the Penalties and Forfeitures contained in the said Acts in that Behalf.

XX. Notwithstanding anything contained in any Act in force to the contrary, it shall be lawful to send out Spirits from any Spirit Store for Consumption or to be warehoused in Casks either full or on Ullage ; provided always, that the

Commissioners

Distillers may warehouse Spirits in Casks containing not less than Nine Gal-

lons. Spirits may be sent out from Distillery in Casks containing not less than Ten Gallons, and of the Strength specified.

Spirits may be sent out in Casks either full or on Ullage.

Commissioners of Inland Revenue shall have power to make such Orders for regulating such Ullage as may appear to them to be necessary.

Spirits in
Ware-
house may
be racked
off into
other
Casks.

XXI. On Payment of the Duty on the full Quantity of Spirits contained in any One or more Casks in any Warehouse, it shall be lawful for the Distiller or Proprietor of such Spirits, under such Rules and Regulations as the Commissioners of Inland Revenue shall make in that Behalf, from Time to Time to rack or draw off such Spirits into any other Cask or Casks, provided that no less Quantity than Ten Gallons shall be racked into any One of such last-mentioned Casks: Provided always, that after the Duty shall have been paid on any such Spirits, and any Portion thereof shall have been racked or drawn off from any Cask, no further Abatement or Allowance for Deficiency shall be made in respect of such Spirits for any further Period the same may remain in such Warehouse.

Ware-
housed
Casks to be
numbered
progressively.

XXII. Upon the Outside of both of the Heads or Ends of every Cask of Spirits which shall be warehoused by any Distiller under the Provisions of this Act or of any other Act in force in that Behalf there shall be legibly cut, branded, or painted the progressive Number of such Cask, according to the Number of Casks warehoused by such Distiller, and the Year when the same was warehoused, such progressive Numbers for every Distiller to begin with No. 1. on the First Day of *January* in each Year; and no Two or more Casks warehoused in the same Year by the same Distiller shall be marked with the same Number; and it shall be lawful for the proper Officer in charge of any Warehouse to refuse to receive therein any Cask of Spirits not having cut, branded, or painted thereon all the several Particulars by this Act required to be cut, branded, or painted thereon, and in the Manner required by this Act.

Distiller's
Ware-
house to be
on Distil-
lery Pre-
mises.

XXIII. No Distiller shall have or use any Warehouse for the warehousing of Spirits without Payment of Duty situated at any other Place than his own entered Distillery Premises, nor until such Warehouse has been approved of by the Commissioners of Inland Revenue; provided that any Distiller may warehouse Spirits in any general Warehouse appointed by the Commissioners of Inland Revenue, and for which Security by Bond shall have been given as directed by the Acts in force in that Behalf.

Commis-
sioners of
Inland Re-
venue em-
powered to

XXIV. It shall be lawful for the Commissioners of Inland Revenue and they are hereby empowered to revoke the Approval at any Time heretofore given by the Commissioners of Excise or the Commissioners of Inland Revenue, or which
may

may at any Time hereafter be given by the said last-mentioned Commissioners, of any Warehouse for the warehousing of *British* Spirits under the Provisions of the Laws in force in that Behalf; and after such Revocation no Abatement of Duty or Allowance shall be made in respect of the Spirits which may be contained in such Warehouse at the Time of such Revocation for any Deficiency of the Quantity or Strength of such Spirits which shall be occasioned or which shall occur after Notice of such Revocation shall have been given to the Proprietor of such Warehouse.

revoke Approval of Warehouses.

XXV. Every Order made by the Commissioners of Inland Revenue appointing or approving of any general Warehouse or Warehouses for the warehousing of *British* Spirits, and every Order revoking any such Approval, shall be published in the *London Gazette* for such Warehouses as shall be situated in *England* and *Wales*, in the *Edinburgh Gazette* for such Warehouses as shall be situated in *Scotland*, and in the *Dublin Gazette* for such Warehouses as shall be situated in *Ireland*.

Approval of Warehouses, and Revocation thereof, to be published in Gazette.

XXVI. It shall be lawful for any licensed Rectifier of Spirits in *England*, *Scotland*, or *Ireland* to warehouse, for Exportation or for Ships Stores, any Spirits by him rectified from Spirits on which the Duties of Excise shall have been charged and paid in any Customs Warehouse of special Security, or in any Warehouse approved for that Purpose by the Commissioners of Her Majesty's Customs, such Customs Warehouse or other Warehouse being situate within that Part of the United Kingdom in which such Spirits were rectified, although such Spirits may be sweetened or may be Spirits to which any colouring Matter has been added; and the Strength of such sweetened or coloured Spirits as denoted by *Sykes's* Hydrometer shall be deemed and taken to be the true Strength thereof, anything in the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twenty-two, to the contrary notwithstanding; provided always, that the Strength of such Spirits before being sweetened or coloured shall not exceed Twenty-five *per Centum* over Proof as denoted by *Sykes's* Hydrometer; and such sweetened or coloured Spirits shall be subject to all the Rules and Regulations in this or any other Act relating to the Removal and Warehousing of Spirits.

Rectified Spirits may be deposited in Customs Warehouse, although sweetened or coloured.

XXVII. All casks of Spirits which shall be warehoused under the Provisions of this or any other Act in that Behalf shall be arranged and stowed in the Warehouse in such Manner as that Access may easily be had to every Cask therein; and if any Distiller, or the Proprietor or Occupier of any such Warehouse, shall refuse or omit to cause all such Casks to be

Stowage of Casks in Warehouse to afford easy Access.

so arranged and stowed, he shall for every such Refusal or Omission forfeit the Sum of Five Pounds.

Allow-
ances for
Deficien-
cies of
Spirits in
Ware-
house.

XXVIII. Upon all *British* Spirits which shall have been warehoused without Payment of Duty under the Provisions of the Acts in that Behalf, and which shall be in any Warehouse at the Time of the passing of this Act, and also upon all such Spirits which shall at any Time hereafter be so warehoused, the following Abatement in respect of the Deficiencies which may have occurred in such Spirits shall be made on the Quantity of Spirits warehoused on which the Duty is by Law payable, which Abatement shall be made after the several Rates of Allowance following; that is to say,

For every One hundred Gallons of such Spirits at Hydro-meter Proof, where such Spirits shall have been in Warehouse for any Time not exceeding Seven Days, One Quarter of a Gallon:

For any Time exceeding Seven Days and not exceeding Fourteen Days, One half of a Gallon:

For any Time exceeding Fourteen Days and not exceeding One Calendar Month, Three Fourths of a Gallon:

For any Time exceeding One Calendar Month and not exceeding Two Calendar Months, One Gallon:

For any Time exceeding Two Calendar Months and not exceeding Three Calendar Months, One Gallon and One Fourth of a Gallon:

For any Time exceeding Three Calendar Months and not exceeding Six Calendar Months, One Gallon and Three Fourths of a Gallon:

For any Time exceeding Six Calendar Months and not exceeding Nine Calendar Months, Two Gallons and One Fourth of a Gallon:

For any Time exceeding Nine Calendar Months and not exceeding Twelve Calendar Months, Two Gallons and Three Fourths of a Gallon:

And for any Time exceeding Twelve Calendar Months, the additional Allowance of Three Quarters of a Gallon for every Six Calendar Months, or any fractional part of Six Calendar Months above Twelve Calendar Months, or any other Multiple of Six Calendar Months, provided that no Allowance shall be made in respect of any Time that such Spirits may have been in Warehouse beyond the Period of Five Years:

And any Spirits which shall be removed from one Warehouse to another shall, for the Purpose of such Abatement and Allowance as aforesaid, be deemed to have been in Warehouse during the Period occupied by such Removal.

XXIX. Every

XXIX. Every Distiller, and every Proprietor of a general Warehouse for warehousing *British* Spirits, under the Provisions of the Laws in force, and every Rectifier of Spirits, and every Dealer therein, shall and is hereby required to provide sufficient and just Scales and Weights and a Set of Standard Measures for the Purpose of weighing, measuring, and taking an Account of the Spirits distilled by such Distiller, or in any such Warehouse, or in the Stock of any such Rectifier or Dealer as aforesaid, and of any Casks or Vessels used for the Purpose of containing Spirits, and such Weights and Measures shall be of such Denominations respectively as the Commissioners of Inland Revenue shall order and require in that Behalf, and such Distiller, Proprietor, Rectifier, and Dealer respectively shall maintain and keep such Scales and Weights and Measures conveniently placed in his Distillery or Warehouse, and at all Times ready for Use, and shall permit and suffer any Officer or Officers of Excise to use the same for the Purpose aforesaid; and if any Distiller or Proprietor of such Warehouse, or Rectifier, or Dealer in Spirits, shall not provide and keep and maintain such Scales and Weights and Measures as aforesaid, and of such Denominations respectively as the Commissioners of Inland Revenue shall order and require in that Behalf, or if such Distiller, Proprietor, Rectifier, or Dealer, shall refuse to permit and suffer any Officer or Officers of Excise to use the same as aforesaid, or if any such Distiller, Proprietor, Rectifier, or Dealer shall use or cause or procure or suffer to be used any false, unjust, or insufficient Scales or Weights or Measures, or shall practise any Art, Device, or Contrivance by which any such Officer or Officers may be hindered or prevented from taking the just and true Weight or Measure of any such Spirits, or any Casks or Vessels used for the Purpose of containing Spirits, then and in every such Case such Distiller, Proprietor, Rectifier, or Dealer shall for every such Offence forfeit the Sum of One hundred Pounds, and all false, unjust, or insufficient Scales or Weights and Measures respectively shall be forfeited, and may be seized by any Officer or Officers of Excise.

XXX. Every Distiller, and every Proprietor of such general Warehouse as aforesaid, and every Rectifier and Dealer respectively, shall, when and so often as he shall be thereunto required by any Officer of Excise, and with a sufficient Number of Servants, weigh and measure in the Presence of such Officer all or any Spirits, and all or any Casks or Vessels used for keeping, conveying, or removing Spirits, in the Possession of such Distiller, Rectifier, or Dealer, or in any such Warehouse, and aid and assist to the utmost of his Power such Officer in taking

Distillers and Warehouse keepers, Rectifiers, and Dealers, to keep sufficient Scales, Weights, and Measures for taking account of Spirits.

Assistance to be given to the Officer in weighing, measuring, &c.

taking an Account thereof, on pain of forfeiting for every Neglect or Refusal so to do the Sum of Fifty Pounds.

Distillers
and Proprietors of
Warehouses to
provide Accommo-
dation for
Officers.

XXXI. Every Distiller and every Proprietor of any such Warehouse as aforesaid shall, when and as they shall be respectively required by the Commissioners of Inland Revenue so to do, provide Accommodation at the Distillery Store and at such Warehouse for the Officer in charge thereof respectively to the Satisfaction of the said Commissioners; and every Distiller and Proprietor of such Warehouse respectively who, on being so required to provide such Accommodation as aforesaid, shall refuse or neglect so to do, shall for every such Offence forfeit the Sum of Fifty Pounds.

Commis-
sioners
may re-
quire Ap-
paratus to
be applied
to Spirit
Receiver
to prevent
Fraud.

XXXII. It shall be lawful for the Commissioners of Inland Revenue and they are hereby authorized and empowered to require every Distiller to erect and apply, at his own Expense, in his Distillery, any Apparatus or Machine which the said Commissioners may think proper for the Purpose of preventing the Supply Pipe and the Discharge Cock of the Spirits Receiver being both open at the same Time; and if such Distiller shall neglect or refuse to provide and apply any such Apparatus or Machine, on being required so to do by the said Commissioners, he shall forfeit the Sum of Two hundred Pounds.

Four
Hours
Notice to
mash, and
the like
Notice to
remove
Wash from
Ferment-
ing Back,
to be suffi-
cient.

XXXIII. It shall be sufficient for any Distiller to give to the proper Officer from Time to Time Four Hours Notice in Writing before beginning to mash or brew or to make Bub, or any other Composition for inducing or increasing Fermentation, and the like Notice before any Wash shall be conveyed from any Fermenting Wash Back in the Distillery, such Notices respectively being given in the Manner and containing the several Particulars prescribed respectively by the several Acts in force in that Behalf, anything in the said Acts requiring a longer Notice for any such Purpose as aforesaid notwithstanding.

Officer
may open
Stills Four
Hours
after De-
claration
delivered
to him of
the Wash
being col-
lected into
the Fer-
menting
Backs.

XXXIV. And it shall be lawful for the Officer in charge of any Distillery, and he is hereby authorized and required, at any Time after the Expiration of Four Hours from the Time that a Declaration in Writing shall have been delivered to him as required by the said Acts respectively that the whole of the Wort and Wash in such Distillery is collected into the Fermenting Wash-backs therein, to open any Still or Stills in such Distillery, by removing such Fastenings as prevent such Still or Stills from being used, notwithstanding anything contained in the said Acts of the Fourth and Sixth Years of King George the Fourth respectively requiring the Lapse of a longer Period before the opening of any such Still or Stills.

Low Wines
distilled.

XXXV. And, notwithstanding anything in the said Acts respectively

respectively contained to the contrary, it shall be lawful for any Distiller to collect in the Low Wines Receiver at his Distillery the Low Wines produced by the Distillation of the Wash of the same Brewing contained in all or any of the Fermenting Backs of such Distillery; provided that such Low Wines produced by the Distillation of the Wash of one Brewing shall be kept separate and apart from and unmixed with any Low Wines produced by the Distillation of any Wash of any other Brewing, or with any other Matter or Thing whatever, until an Account of the Quantity and Strength of such Low Wines so collected shall have been taken by the proper Officer; and provided also, that all the Spirits and Feints produced by the Re-distillation of such Low Wines shall be collected in the Spirits and Feints Receivers respectively, and kept therein, separate and apart from and unmixed with any other Matter or Thing, (save as is provided and allowed by the said Acts respectively,) until an Account of the Quantity and Strength of such Spirits and Feints respectively shall have been taken by the proper Officer; and for any Neglect or Refusal to keep such Low Wines and Spirits and Feints respectively separate and apart and unmixed as herein directed the Distiller shall forfeit the Sum of Two hundred Pounds.

from Wash of one Brewing, contained in Two or more Backs, may be mixed.

XXXVI. Provided always, That, notwithstanding anything contained in the said Act of the Fourth Year of King *George* the Fourth, Section One hundred and thirty-two, to the contrary, it shall be lawful for any Distiller taking out a proper Licence in that Behalf to carry on the Trade of a Wholesale Dealer in Spirits at a Place within the Distance of Two Miles from the Distillery of such Distiller, provided such Place be approved by the Commissioners of Inland Revenue; but in any Case in which a Distiller shall carry on such Trade of a Wholesale Dealer in Spirits at any Place within the Distance aforesaid from his Distillery no Spirits shall be sold, sent out, delivered, or removed from his Stock, Custody, or Possession, either as a Dealer or a Distiller, without being accompanied by a Permit granted by the proper Officer of Excise, on pain of Forfeiture of such Spirits, and of such Penalty as by the Laws in force is imposed on a Distiller for sending out or removing Spirits without such Permit as aforesaid; and it shall be lawful for any Officer of Excise, although of less Rank than a Supervisor of Excise, to take or cause to be taken an Account of the Quantity of the Spirits in the Stock, Custody or Possession of such Dealer, anything contained in the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twenty-one, Section Twenty, to the contrary notwithstanding; and all the Powers, Provisions, and Penalties

Distiller may carry on the Trade of a Wholesale Dealer in Spirits within the Distance of Two Miles from his Distillery.

contained in the said last-mentioned Enactment in relation to any Account taken by any Supervisor of Excise, or other Officer of not less Rank, shall be deemed to apply in relation to the taking of any Account hereby authorized to be taken by an Officer of less Rank than a Supervisor of Excise.

Table in
Schedule
(C.) an-
nexed to
be used in
ascertain-
ing the
Quantity
of Spirits
in a Cask
by weigh-
ing the
same.

XXXVII. For the Purpose of ascertaining the Quantity of Spirits contained in any Cask by weighing the same, the Table in Schedule (C.) annexed to this Act shall be referred to and used in connection with *Sykes's* Hydrometer, and any Spirits which shall indicate on such Hydrometer any Number in Column (A.) of such Table shall be deemed to be of the Weight *per* Gallon in Pounds and Decimal Parts of a Pound denoted by the Number in Column (B.) of the same Table set opposite to the said Number in Column (A.) and the Total net Weight of the Spirits contained in any Cask divided by the said Number in Column (B.) shall be deemed to give the true Quantity of Spirits contained in such Cask in Gallons and Decimal Parts of a Gallon.

Mode of
determin-
ing the
original
Gravity of
Wash.

XXXVIII. And whereas the proper Officer of Excise is authorized by the said Acts respectively of the Fourth and Sixth Years of King *George* the Fourth to take Samples of the Wash from any Wash Back in a Distillery, and to cause such Wash to be distilled as in the said Acts respectively is mentioned: It shall be lawful for such Officer to take such Samples of Wash from the Wash Back or Wash Charger in any Distillery, or from both of such Vessels, as he may think proper; and in order to ascertain and determine the original Gravity of the Worts from which such Wash was made or prepared before Fermentation had taken place in such Worts, a definite Quantity by Measure of such Wash shall be distilled, and the Proportion of Alcohol contained therein ascertained, and the Specific Gravity of such Wash deprived of its Alcohol by such Distillation, and made up with pure Water to its original Measure, shall also be ascertained, and from such Proportion of Alcohol and such Specific Gravity as last aforesaid the original Gravity of the Worts from which such Wash was made before Fermentation shall be computed and determined by means of the Table contained in Schedule (D.) annexed to this Act; and if the original Gravity of such Worts as found and determined in the Manner aforesaid shall exceed by more than Three Degrees the Gravity thereof as declared by the Distiller, pursuant to the said Acts respectively, such Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Sixpence for every Gallon of Wort or Wash contained in the Wash Back or Wash Charger from which such Wash so distilled was taken: Provided always, that such Distiller, or
any

any Person acting on his Behalf, shall and may, if he shall so desire, be present at the Distillation of any such Wash, and at the Performance of any such Process as aforesaid for ascertaining the said original Gravity.

XXXIX. It shall be lawful for every Person, who, on or before the said Twenty-first Day of *April* One thousand eight hundred and fifty-three, has sold or made or entered into any Contract or Agreement for the Sale of Spirits on which any additional Duty by this Act imposed will attach, to add so much Money as will be equivalent to such additional Duty to the Price of such Spirits, and such Person shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Persons who have made contracts for the Sale of Spirits may add additional Duties to the Price.

XL. The Seventy-ninth Section of the said Act passed in the Fourth Year of King *George* the Fourth, Chapter Ninety-four, and Section Eighty-eight of the said Act of the Sixth Year of the said King, Chapter Eighty, shall be and the same are hereby repealed; and all Clauses, Provisions, and Regulations contained in any Act or Acts that are inconsistent with or are superseded by the Clauses, Provisions, and Regulations of this Act shall, so far and to such Extent as the same are so inconsistent or superseded as aforesaid, be and the same are hereby also repealed, save and except as to any Penalty or Forfeiture which shall have been incurred under the said Sections, Clauses, and Provisions, or any of them.

Sect. 79. of 4 G. 4. c. 94. Sect. 88. of 6 G. 4. c. 80. and all Clauses of Acts inconsistent with or superseded by the Provisions of this Act, repealed.

XLI. The several Provisions of this Act shall commence and take effect at the respective Times herein-after mentioned; (that is to say,) as to the said Duties and Drawbacks by this Act granted and imposed and allowed respectively, from and after the Twenty-first Day of *April* One thousand eight hundred and fifty-three; and as to the said Abatement or Allowance to be made in respect of the Deficiencies in Spirits warehoused, from and after the passing of this Act; and as to all other Provisions contained herein, from and after the Tenth Day of *October* One thousand eight hundred and fifty-three.

Times of Commencement of this Act.

SCHEDULE (A.)

COUNTERVAILING DUTIES.

ARTICLES ENUMERATED. For every Gallon thereof removed.	COUNTERVAILING DUTIES.								
	From Scotland to England.			From Ireland to England.			From Ireland to Scotland.		
	£	s.	d.	£	s.	d.	£	s.	d.
Ether	0	7	11	0	11	3	0	3	4
Sweet Spirits of Nitre	}	0	4	}	0	6	}	0	2
Camphorated Spirits									
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients									
Compound Spirits of Lavender									
Spirits of Rosemary									
Spirits of Ammonia									
Sal Volatile									
Friar's Balsam									
Compound Tincture of Benzoin									
Tincture of Assafoetida									
Tincture of Castor									
Tincture of Kino									
Tincture of Guaiacum									
Tincture of Myrrh									
Tincture of Ginger									
Spirit Varnishes									
Other Tinctures and Medicated Spirits	0	3	2	0	4	6	0	1	4
Made Wines	0	0	4½	0	0	6½	0	0	2

SCHEDULE (B.)

COUNTERVAILING DRAWBACKS.

ARTICLES ENUMERATED. For every Gallon thereof removed.	COUNTERVAILING DRAWBACKS.								
	From England to Scotland.			From England to Ireland.			From Scotland to Ireland.		
	£	s.	d.	£	s.	d.	£	s.	d.
Ether	0	7	11	0	11	3	0	3	4
Sweet Spirits of Nitre	}	0	4	}	0	6	}	0	2
Camphorated Spirits									
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients									
Compound Spirits of Lavender									
Spirits of Rosemary									
Spirits of Ammonia									
Sal Volatile									
Friar's Balsam									
Compound Tincture of Benzoin									
Tincture of Assafœtida									
Tincture of Castor									
Tincture of Kino									
Tincture of Guaiacum									
Tincture of Myrrh									
Tincture of Ginger									
Spirit Varnishes	}	0	3	}	0	4	}	0	1
Other Tinctures and Medicated Spirits									
Made Wines	0	0	4½	0	0	6½	0	0	2

SCHEDULE (C.)

A TABLE for determining the WEIGHT per GALLON of
SPIRITS by SYKES'S HYDROMETER.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
0	8.154	9	8.306	18	8.460
2	8.157	2	8.309	2	8.464
4	8.161	4	8.313	4	8.467
6	8.164	6	8.316	6	8.471
8	8.168	8	8.320	8	8.474
1	8.171	10	8.323	19	8.478
2	8.174	2	8.326	2	8.481
4	8.178	4	8.334	4	8.485
6	8.181	6	8.333	6	8.488
8	8.185	8	8.237	8	8.492
2	8.188	11	8.340	20	8.495
2	8.191	2	8.343	2	8.498
4	8.195	4	8.347	4	8.502
6	8.198	6	8.350	6	8.505
8	8.202	8	8.354	8	8.509
3	8.205	12	8.357	21	8.512
2	8.208	2	8.361	2	8.516
4	8.212	4	8.364	4	8.519
6	8.215	6	8.368	6	8.523
8	8.219	8	8.371	8	8.526
4	8.222	13	8.375	22	8.530
2	8.225	2	8.378	2	8.533
4	8.229	4	8.382	4	8.537
6	8.232	6	8.385	6	8.540
8	8.236	8	8.389	8	8.544
5	8.239	14	8.392	23	8.547
2	8.242	2	8.395	2	8.551
4	8.245	4	8.399	4	8.554
6	8.249	6	8.402	6	8.558
8	8.252	8	8.406	8	8.561
6	8.255	15	8.409	24	8.565
2	8.258	2	8.412	2	8.568
4	8.262	4	8.416	4	8.572
6	8.265	6	8.419	6	8.575
8	8.269	8	8.423	8	8.579
7	8.272	16	8.426	25	8.582
2	8.275	2	8.429	2	8.586
4	8.279	4	8.433	4	8.589
6	8.282	6	8.436	6	8.593
8	8.286	8	8.440	8	8.596
8	8.289	17	8.443	26	8.600
2	8.292	2	8.446	2	8.603
4	8.296	4	8.450	4	8.607
6	8.299	6	8.453	6	8.610
8	8.303	8	8.457	8	8.614

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
27	8·617	37	8·795	47	8·976
2	8·620	2	8·799	2	8·980
4	8·624	4	8·802	4	8·984
6	8·628	6	8·806	6	8·987
8	8·631	8	8·809	8	8·991
28	8·635	38	8·813	48	8·995
2	8·639	2	8·817	2	8·999
4	8·642	4	8·820	4	9·002
6	8·646	6	8·824	6	9·006
8	8·649	8	8·827	8	9·009
29	8·653	39	8·831	49	9·013
2	8·656	2	8·835	2	9·017
4	8·660	4	8·838	4	9·021
6	8·663	6	8·842	6	9·024
8	8·667	8	8·845	8	9·028
30	8·670	40	8·849	50	9·032
2	8·674	2	8·853	2	9·036
4	8·677	4	8·856	4	9·039
6	8·681	6	8·860	6	9·043
8	8·684	8	8·863	8	9·046
31	8·688	41	8·867	51	9·050
2	8·692	2	8·871	2	9·054
4	8·695	4	8·874	4	9·058
6	8·699	6	8·878	6	9·061
8	8·702	8	8·881	8	9·065
32	8·706	42	8·885	52	9·069
2	8·709	2	8·889	2	9·073
4	8·713	4	8·892	4	9·076
6	8·716	6	8·896	6	9·080
8	8·720	8	8·899	8	9·083
33	8·723	43	8·903	53	9·087
2	8·727	2	8·907	2	9·091
4	8·730	4	8·911	4	9·095
6	8·734	6	8·914	6	9·098
8	8·737	8	8·918	8	9·102
34	8·741	44	8·922	54	9·106
2	8·745	2	8·926	2	9·110
4	8·748	4	8·929	4	9·114
6	8·752	6	8·933	6	9·117
8	8·755	8	8·936	8	9·121
35	8·759	45	8·940	55	9·125
2	8·763	2	8·944	2	9·129
4	8·766	4	8·947	4	9·132
6	8·770	6	8·951	6	9·136
8	8·773	8	8·954	8	9·139
36	8·777	46	8·958	56	9·143
2	8·781	2	8·962	2	9·147
4	8·784	4	8·965	4	9·151
6	8·788	6	8·969	6	9·154
8	8·791	8	8·972	8	9·158

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
57	9.162	67	9.352	77	9.545
2	9.166	2	9.356	2	9.549
4	9.170	4	9.360	4	9.553
6	9.173	6	9.363	6	9.557
8	9.177	8	9.367	8	9.561
58	9.181	68	9.371	78	9.565
2	9.185	2	9.375	2	9.569
4	9.189	4	9.379	4	9.573
6	9.192	6	9.382	6	9.576
8	9.196	8	9.386	8	9.580
59	9.200	69	9.390	79	9.584
2	9.204	2	9.394	2	9.588
4	9.207	4	9.398	4	9.592
6	9.211	6	9.401	6	9.596
8	9.214	8	9.405	8	9.600
60	9.218	70	9.409	80	9.604
2	9.222	2	9.413	2	9.608
4	9.226	4	9.417	4	9.612
6	9.229	6	9.420	6	9.615
8	9.233	8	9.424	8	9.619
61	9.237	71	9.428	81	9.623
2	9.241	2	9.432	2	9.627
4	9.245	4	9.436	4	9.631
6	9.248	6	9.440	6	9.635
8	9.252	8	9.444	8	9.639
62	9.256	72	9.448	82	9.643
2	9.260	2	9.452	2	9.647
4	9.264	4	9.456	4	9.651
6	9.267	6	9.459	6	9.655
8	9.271	8	9.463	8	9.659
63	9.275	73	9.467	83	9.663
2	9.279	2	9.471	2	9.667
4	9.283	4	9.475	4	9.671
6	9.286	6	9.479	6	9.674
8	9.290	8	9.483	8	9.678
64	9.294	74	9.487	84	9.682
2	9.298	2	9.491	2	9.686
4	9.302	4	9.495	4	9.690
6	9.305	6	9.498	6	9.694
8	9.309	8	9.502	8	9.698
65	9.313	75	9.506	85	9.702
2	9.317	2	9.510	2	9.706
4	9.321	4	9.514	4	9.710
6	9.324	6	9.517	6	9.714
8	9.328	8	9.521	8	9.718
66	9.332	76	9.525	86	9.722
2	9.336	2	9.529	2	9.726
4	9.340	4	9.533	4	9.730
6	9.344	6	9.537	6	9.733
8	9.348	8	9.541	8	9.737

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
87	9·741	4	9·828	8	9·917
2	9·745	6	9·832	96	9·921
4	9·749	8	9·836	2	9·925
6	9·753	92	9·840	4	9·929
8	9·757	2	9·844	6	9·934
88	9·761	4	9·848	8	9·938
2	9·765	6	9·852	97	9·942
4	9·769	8	9·856	2	9·946
6	9·773	93	9·860	4	9·950
8	9·777	2	9·864	6	9·955
89	9·781	4	9·868	8	9·959
2	9·785	6	9·872	98	9·963
4	9·789	8	9·876	2	9·967
6	9·792	94	9·880	4	9·972
8	9·796	2	9·884	6	9·976
90	9·800	4	9·888	8	9·981
2	9·804	6	9·892	99	9·985
4	9·808	8	9·896	2	9·989
6	9·812	95	9·900	4	9·994
8	9·816	2	9·904	6	9·998
91	9·820	4	9·908	8	10·003
2	9·824	6	9·913	100	10·007

SCHEDULE (D.)

A TABLE to be used in determining the original
GRAVITY of WASH.

Degrees of Spirit- Indication	·0	·1	·2	·3	·4	·5	·6	·7	·8	·9
0	—	·3	·6	·9	1·2	1·5	1·8	2·1	2·4	2·7
1	3·0	3·3	3·7	4·1	4·4	4·8	5·1	5·5	5·9	6·2
2	6·6	7·0	7·4	7·8	8·2	8·6	9·0	9·4	9·8	10·2
3	10·7	11·1	11·5	12·0	12·4	12·9	13·3	13·8	14·2	14·7
4	15·1	15·5	16·0	16·4	16·8	17·3	17·7	18·2	18·6	19·1
5	19·5	19·9	20·4	20·9	21·3	21·8	22·2	22·7	23·1	23·6
6	24·1	24·6	25·0	25·5	26·0	26·4	26·9	27·4	27·8	28·3
7	28·8	29·2	29·7	30·2	30·7	31·2	31·7	32·2	32·7	33·2
8	33·7	34·3	34·8	35·4	35·9	36·5	37·0	37·5	38·0	38·6
9	39·1	39·7	40·2	40·7	41·2	41·7	42·2	42·7	43·2	43·7
10	44·2	44·7	45·1	45·6	46·0	46·5	47·0	47·5	48·0	48·5
11	49·0	49·6	50·1	50·6	51·2	51·7	52·2	52·7	53·3	53·8
12	54·3	54·9	55·4	55·9	56·4	56·9	57·4	57·9	58·4	58·9
13	59·4	60·0	60·5	61·1	61·6	62·2	62·7	63·3	63·8	64·3
14	64·8	65·4	65·9	66·5	67·1	67·6	68·2	68·7	69·3	69·9
15	70·5									

CAP. XXXVIII.

An Act to extend the Remedies for the Compensation of malicious Injuries to Property in Ireland.—[8th July 1853.]

CAP. XXXIX.

An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap.—[8th July 1853.]

Duties,
Allow-
ances, and
Draw-
backs of
Excise on
Soap re-
pealed.

WHEREAS it is expedient to repeal the Duties, Allowances, and Drawbacks of Excise on Soap: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: All Duties of Excise on Soap made in *Great Britain*, and on Soap brought from *Ireland* into *Great Britain*, and all Allowances in respect of the said Duties, and all Drawbacks of Excise on Soap exported to Foreign Parts, or removed from *Great Britain* into *Ireland*, and also all Enactments, Clauses, Provisions, Regulations, and Penalties for levying, collecting, and securing the said Duties, and paying the said Allowances and Drawbacks, and for preventing Frauds in relation thereto, shall respectively cease and determine, and shall be and the same are hereby repealed, from and after the respective Times herein-after mentioned: (that is to say,) as to the said Duties on Soap made in *Great Britain*, and as to all such Allowances and Drawbacks as aforesaid, from and after the Fifth Day of *July* One thousand eight hundred and fifty-three, and as to the said Duties on Soap brought from *Ireland* into *Great Britain* from and after the Fifth Day of *July* One thousand eight hundred and fifty-four; save and except as to any of the said Duties which shall have been charged on or before the respective Times aforesaid, and any Arrear thereof, and as to all Allowances on any Soap which on or before the said Fifth Day of *July* One thousand eight hundred and fifty-three shall have been used in any Manufactures in respect whereof any

Allowance

Allowance of the said Duties is by Law granted and payable, and also as to any Drawback which shall be payable in respect of the Exportation or removal of any Soap on or before the said last-mentioned Day, and also as to all Fines, Penalties, and Forfeitures incurred in respect of the said Duties, Allowances, and Drawbacks respectively, or in relation thereto, all which said Duties, Allowances, Drawbacks, Fines, Penalties, and Forfeitures so excepted as aforesaid shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

CAP. XL.

An Act for altering the Mode of Repayment of Advances by the Public Works Loan Commissioners under the Public Health Act, 1848, and other Acts.—[8th July 1853.] (England.)

CAP. XLI.

An Act for making further Provisions with respect to Common Lodging Houses.—[4th August 1853.] (England.)

CAP. XLII.

An Act for disafforesting the Forest of Whittlewood otherwise Whittlebury.—[4th August 1853.]

CAP. XLIII.

An Act for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties.—[4th August 1853.]

CAP. XLIV.

CAP. XLIV.

An Act to enlarge and extend the Powers of an Act of the Fifteenth and Sixteenth Years of Her present Majesty, for enabling the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in Pimlico, and in the Neighbourhood of Buckingham Palace.—[4th August 1853.]

CAP. XLV.

An Act to consolidate and amend the Laws and to grant additional Facilities in relation to the Purchase of Government Annuities through the Medium of Savings Banks, and to make other Provisions in respect thereof.—[4th August 1853.]

WHEREAS it is expedient that the existing Acts of Parliament relating to the Purchase of Government Annuities through the Medium of Savings Banks should be repealed, in order that the same may be consolidated and amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of
3 W. 4. c.
14. and 7
& 8 Vict. c.
83. as re-
lates to
Purchase
of Govern-
ment
Annuities
through
the Me-
dium of
Savings
Banks, &c.
repealed.

I. So much of the Act passed in the Third Year of the Reign of King William the Fourth, Chapter Fourteen, as relates to the enabling Depositors in Savings Banks and others to purchase Government Annuities through the Medium of Savings Banks and Parochial Societies, and so much of another Act passed in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-three, as relates to the Purchase of Government Annuities through the Medium of Savings Banks, shall be repealed, except as to anything heretofore done, or which shall hereafter be required to be done, in respect to any Annuities granted under the said Acts or either of them, and except also so far as may be necessary for the Purpose of any

any Proceedings to be taken under or by virtue of the same Acts or either of them, such Repeal to commence and take effect on and after the Tenth Day of *October* One thousand eight hundred and fifty-three.

II. From and after the said Tenth Day of *October* One thousand eight hundred and fifty-three, it shall and may be lawful for the Commissioners for the Reduction of the National Debt to grant to or for the Benefit of any Depositor in a Savings Bank, or other Person whom the said Commissioners shall think entitled to be or to become a Depositor in a Savings Bank, any Immediate or Deferred Life Annuities depending on single Lives, or Immediate Annuities depending on joint Lives with Benefit of Survivorship or on the joint Continuance of Two Lives, to any Amount not less than Four Pounds nor more than Thirty Pounds in the whole, to or for the Benefit of any One Person, and to receive Payment for such Immediate Life Annuities in One Sum, and for such Deferred Life Annuities either in One Sum or in annual Sums payable for fixed Periods: Provided always, that no such Annuities shall be granted to or for the Benefit of any Person under the Age of Ten Years.

Commissioners for Reduction of National Debt may receive Money from Depositors, &c. for Purchase of Annuities.

III. Such Annuity may be granted to or possessed by any married Man or Woman, although an Annuity to the same or a less Amount may have been granted to or possessed by the Wife or Husband of such Party.

Annuity may be granted to Husband and to Wife.

IV. The said Commissioners may grant such Deferred Life Annuities on condition that the Purchase Money shall be returnable, but without Interest, in which Case such Purchase Money without Interest shall be returnable at any Time on the Application of the Person beneficially interested in such Annuity, or after his Death on the Application of his Executors or Administrators; provided always, that in no Case whatever shall such Purchase Money or any Part thereof be returned after the first Payment of the said Annuity shall have actually become due, and the Monies so returnable shall be charged, paid, and defrayed out of the Monies standing in the Names of the said Commissioners at the Bank of *England* under the Provisions of this Act.

Deferred Annuities may be granted with a Condition that Purchase Money shall be returnable.

V. The said Commissioners may grant in like Manner and to the like Persons Deferred Life Annuities, of not less than One Pound or some Multiple thereof not exceeding Thirty Pounds in the whole, to any One Person, and receive Payment for such Annuity in One Sum on condition that the Purchase Money shall not be returnable.

Annuities may be granted with a Condition that Purchase Money shall not be returnable.

VI. Where a Party who has contracted under the Acts hereby repealed or shall contract under this Act for the Purchase

Parties unable to

keep up Annual Payments may have an Annuity granted in lieu of having Money returned.

Power to convert Deferred into Immediate Annuity.

Name of Party to be always inserted in Grant.

Cases in which Grants of Annuities may be to Trustees.

Power to grant Payment of Money on Death of Persons purchasing Deferred Annuities.

Contracts may be made at National Debt Office or through

chase of a Deferred Life Annuity by Annual Payments shall, after having made One or more of such Payments, be unable to pay the Residue thereof, the said Commissioners may, at the Option of the Party beneficially interested in such Annuity, grant to such Party a Life Annuity, immediate or deferred, equivalent to the Amount of the several Payments so made by him, instead of returning the amount of such Payments in Money.

VII. Where a Party has already contracted under the Acts hereby repealed, or shall hereafter contract under this Act, by Payment in One Sum for a Deferred Life Annuity, the said Commissioners may, at the Option of the Party, grant an Immediate Life Annuity in place and instead of the Deferred Life Annuity, which shall forthwith be cancelled.

VIII. No Annuity shall be granted under the Authority of this Act unless the Name of the Party on whose Life and for whose Benefit the Purchase is proposed to be effected shall be inserted in the Grant as a joint Proprietor of the said Annuity.

IX. No such Annuity shall be granted otherwise than in the sole Name of the Person on whose Life and for whose Benefit the said Annuity is granted, except in the Case of Females, Infants under the Age of Twenty-one Years, Idiots, Persons of unsound Mind or incapacitated by bodily or mental Infirmary from taking care of themselves, of which Proof shall be afforded at the Time of making the Contract to the Satisfaction of the said Commissioners, or Comptroller General or Assistant Comptroller acting under them, in which Cases it shall be lawful to grant such Annuities as are authorized by this Act upon the Life of any such Person to such Person and to any Two or more Persons not interested therein as Trustees for such Person, under such Regulations as shall be prescribed by the said Commissioners or Comptroller General.

X. The said Commissioners may contract with any such Person or Persons for the Payment of a sum of Money on his or her Death, provided that the Party contracting for such Payment on Death shall at the same Time purchase a Deferred Annuity depending upon his or her own Life, as the Case may be, and that the Money payable on Death do not exceed the Amount of the Sum paid down for the said Payment on Death and Annuity taken together, and shall in no Case exceed One hundred Pounds in the whole.

XI. The said Commissioners may make such Contracts with such Parties for the Grant of any Annuities under the Authority of this Act, either directly at their own Office or through the Medium of Savings Banks or Parochial or other Societies, or Agents duly authorized by the said Commissioners for

for such Purpose, and under such Regulations as the said Commissioners shall prescribe, and in such last-mentioned Cases may authorize the said Savings Banks and Societies and Agents to take and demand the like Fees as are sanctioned in respect to such Annuities by the Act of the Seventh and Eighth *Victoria* above referred to.

XII. The said Annuities and Payments on Death herein referred to are hereby made chargeable upon the Consolidated Fund of the United Kingdom, and all sums of Money from Time to Time paid on account of such Contracts under this Act, or under the Acts hereby repealed, shall be paid into the Bank of *England* or into the Bank of *Ireland* to the Account of the Commissioners for the Reduction of the National Debt, under such Regulations as the said Commissioners shall from Time to Time prescribe in that respect; and the Cashiers of the Bank of *England* or Bank of *Ireland* are hereby required to receive all such Monies, and to place the same to the Accounts of the said Commissioners to be entitled "The Fund for purchasing Life Annuities or for Payments on Death, on the Account of Depositors in Savings Banks (as the Case may be);" and the said Commissioners shall in like Manner keep distinct and separate Accounts of all Monies so placed to the said Accounts, pursuant to the Provisions of this Act.

XIII. The said Commissioners, or the Comptroller General or Assistant Comptroller acting under the said Commissioners, may require such Proofs of Age and of Identity, and such Certificates, and make such Rules and Regulations in respect to the Grant of all Annuities, and for securing Payments on Death, under the Authority of this Act, and to the Payment thereof, and also to the Payment of all Annuities granted under the Acts hereby repealed, as may appear to them to be necessary and proper for carrying out the Purposes of this Act; and may decline or refuse to contract for any Annuity or for any Payment on Death, under the Provisions of this Act, in any Case where there shall be in the Opinion of the said Commissioners, or of the said Comptroller General or Assistant Comptroller, sufficient Grounds for refusing or declining so to do.

XIV. If any One Individual shall by his own direct Act have or hold or be possessed of or entitled to any Annuity or Annuities granted under the Provisions of this Act or of the Acts hereby repealed, exceeding in the whole the Sum of Thirty Pounds *per Annum*, or shall make a false Declaration in relation to any Matter or Thing required by the Regulations of the said Commissioners, all the said Annuity or Annuities and Payments on Death shall be forfeited.

XV. If any Person having contracted for the Payment of a Sum

the Medium of Savings Banks, &c.

Money paid on account of Purchase of Annuity to be kept distinct, and paid to Account of Commissioners.

Commissioners to make Rules, Regulations, &c.

Commissioners, &c. may decline to contract for Annuities or Payments on Death.

Penalty on Persons making false Declaration, &c.

Persons contract-

ing for
Payments
of Sums of
Money at
Death may
commute
the same
into an
Annuity
payable
after Death
to Nomi-
nees.

Sum of Money on Death in the Manner herein-before provided shall at any Time, in Writing, in a Form approved of by the said Commissioners, and deposited with them during his Life, direct that the Sum payable at his or her Death be commuted for an Annuity for Life, to commence at his or her Death, and to be paid to any Persons nominated in the said Writing, such Commutation shall take effect, when approved of by the said Commissioners, or by the Comptroller General or Assistant Comptroller acting under the said Commissioners, and the Person so nominated shall be entitled to such Life Annuity as shall be the Equivalent to such Sum of Money so payable after Death as aforesaid, such Annuity to commence and take effect on and from the Sixth Day of *January*, Sixth Day of *April*, Sixth Day of *July*, and Eleventh Day of *October*, as the Case may be, next immediately following the Death of the Party nominating, and be payable and paid at the next following half-yearly Period.

Treasury
shall direct
Use of
Tables of
the Value
of Annu-
ties as ap-
proved by
them.

XVI. For the better carrying this Act into execution it shall and may be lawful for the Commissioners of her Majesty's Treasury, from Time to Time as they shall think fit, to direct the Commissioners for the Reduction of the National Debt to use and adopt such Tables as shall from Time to Time be authorized and approved of by the said Commissioners of the Treasury for determining the Values of all Annuities, of whatsoever Kind, which may be granted according to the Provisions of this Act, as well as Tables for Payment of Sums of Money at Death, and such respective Tables shall be valid and effectual for the Purposes of this Act; and all Annuities for Lives, of whatsoever Kind, to be purchased under the Provisions of this Act, shall be purchased, and all Payments for Sums to be secured at Death shall be contracted for, according to the Values stated in such Tables respectively, so long as the same shall remain in force; and the said Commissioners of the Treasury may alter, revoke, and recall all or any of the said Tables from Time to Time, and direct the Use and Adoption of such other Tables in lieu thereof as shall be approved of by the said Commissioners of the Treasury, and also discontinue, by any Warrant under their Hands addressed to the said Commissioners for the Reduction of the National Debt, the granting of any Annuities for Lives, or of Sums payable at Death, under the Provisions of this Act, if they shall think it fit and expedient so to do: Provided always, that the said Commissioners for the Reduction of the National Debt shall, previous to the Adoption and using of any such Tables, and Discontinuance of the granting of such Annuities and Payments at Death as aforesaid, give Notice thereof from
Time

Time to Time in the *London, Edinburgh, and Dublin Gazettes*, in such Form and Manner as to the said Commissioners for the Reduction of the National Debt shall seem fit and proper: Provided also, that the Tables now in force in respect to Annuities grantable under the Authority of the Acts hereby repealed shall be valid and effective for the Purchase and Grant of any Annuities under this Act, so far as they are applicable thereto, until altered, revoked, and recalled by the said Commissioners of the Treasury.

XVII. In every Case when any Sum of Money shall be paid as the consideration for the Purchase of any Annuity for Lives of whatsoever Kind, under the Provisions of this Act, or for securing a Payment on Death, the Person or Persons purchasing any such Annuity for Lives or for securing such Payment on Death, shall be entitled to receive from the Period at which the said Annuity is to commence and take effect an Annuity for a Life, or for joint Lives with Benefit of Survivorship, or on the joint Continuance of Two Lives, as the Case may be, of such annual Amount as shall be specified in any such Table or Tables respectively as the Commissioners of Her Majesty's Treasury shall from Time to Time authorize and approve in manner herein-before directed, to be calculated and ascertained according to the Age of the Party; and every Payment to be made on Death shall in like Manner be ascertained and settled according to the said Tables so to be approved and adopted from Time to Time as aforesaid.

XVIII. All Life Annuities, of whatsoever Kind, which shall be purchased and granted under the Provisions of this Act, (whether such Life Annuities shall commence immediately or not,) and all Payments at Death, shall, in their due Course as the same shall fall due and become payable, be carried to a new and separate Account in the Books of the said Commissioners for the Reduction of the National Debt.

XIX. Whenever Proof of the Age of any Person shall have been once produced to the said Commissioners under the Provisions of any Act for the Purchase of any Annuity or Annuities on the Life of such Person, the original Proof of the Age of such Person, produced at the Time of the Purchase of the First Annuity upon the Life of such Person, shall be deemed sufficient in the Case of any proposed Purchase of a further Annuity on such Life under the Provisions of this Act, or of any other Act or Acts now in force authorizing the Grant of Annuities, without the Production of any further Proof of Age.

XX. The said Comptroller General or Assistant Comptroller acting under the said Commissioners shall, within Fourteen Days

Purchasers of Annuities for Lives shall be entitled to such Amount of Annuity as shall be specified in the Tables.

Life Annuities granted under this Act and Payments at Death shall be carried to a separate Account.

Life Annuitants may make further Purchases without fresh Certificates.

Amount of Annuities from Time to Time,

and Sums payable on Death, shall be certified to the Treasury, who shall issue their Warrant to the Exchequer for Payment thereof out of the Consolidated Fund.

Time of Payment of Annuities granted under this Act.

On Death of Annuitant a Quarter's Payment to be made in addition to half-yearly Arrears.

Days preceding the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each and every Year, certify to the Commissioners of Her Majesty's Treasury the Amount of Annuities for Lives, and Sums payable at Death, which will become payable under this Act out of the said Consolidated Fund on each of such Days respectively, and the said Commissioners of the Treasury shall thereupon order and direct the Comptroller General of the Exchequer to issue out of the said Consolidated Fund from Time to Time to the Account of the said Commissioners for the Reduction of the National Debt the Sums specified in such Certificates, to be applied in paying such Annuities and Sums payable at Death respectively.

XXI. All Annuities for Lives, of whatsoever Kind, which shall be purchased under the Provisions of this Act, shall be payable by Two equal half-yearly Payments, to become due respectively on the Fifth Day of *January* and on the Fifth Day of *July*, or on the Fifth Day of *April* and the Tenth Day of *October*, in each and every Year, according to the respective Periods, as herein-after mentioned, within which any Money shall be paid for the Purchase of any such Annuities for Life, of whatsoever Kind respectively; and the First half-yearly Payment of every such Annuity so purchased shall be made at the Times following; (that is to say,) on the Fifth Day of *January* in respect of all such Purchases completed by the actual Payment of Money into the Bank of *England* or into the Bank of *Ireland* to the Account of the said Commissioners herein-after mentioned at any Time during the Quarter ending on the Tenth Day of *October* preceding such Fifth Day of *January*; on the Fifth Day of *April* in respect of all such Purchases so completed at any Time during the Quarter ending on the Fifth Day of *January* preceding the Fifth Day of *April*; on the Fifth Day of *July* in respect of all such Purchases so completed at any Time during the Quarter ending the Fifth Day of *April* preceding such Fifth Day of *July*; and on the Tenth Day of *October* in respect of all such Purchases so completed at any Time during the Quarter ending on the Fifth Day of *July* preceding such Tenth Day of *October*; and all future half-yearly Payments of every such Annuity shall be made with reference to the Time of such First half-yearly Payment; and upon the Death of any Annuitant in respect of any Life Annuity a Sum equal to One Fourth Part of the Annuity depending upon the Life of such Annuitant (over and above all half-yearly Arrears thereof respectively) shall be payable to the Person or Persons entitled to such Annuity, or his or her or their Executors or Administrators,

tors, (as the Case may be,) on the half-yearly Days of Payment next succeeding the Production of Proof to the said Commissioners certifying the Death of such Annuitant, if such Proof shall be produced to the said Commissioners not less than Thirty Days next preceding the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* respectively in every Year, and that such last-mentioned Payment shall be claimed within Two Years after the Death of such Annuitant, but not otherwise; but the Fourth Part of any expired Life Annuity payable under the Provisions of this Act shall not be payable or be paid upon or in respect of any Deferred Life Annuity unless One half-yearly Payment of such Deferred Life Annuity shall have been actually paid or become due at the Time of the Decease of such Annuitant; and all Sums payable at Death shall become due and payable on the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* next immediately following the Day on which such Death shall be proved to the Satisfaction of the said Commissioners, or the Comptroller General or Assistant Comptroller: Provided always, that Proof of such Death shall have been given Thirty Days previously to such Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October*, as the Case may be, and if not, then and in such Case such Payment shall not be made until the next succeeding Quarter Day.

Proviso as
to Deferred
Annuities.

XXII. All Monies becoming due as aforesaid on account of such Annuities already granted or to be granted hereafter, and all Payments on Death, shall be paid to the several Parties respectively entitled thereto by the said Commissioners, at the Office of the said Commissioners, or by Savings Banks, or Parochial Societies, or other Agents specially authorized by the said Commissioners to make such Payment, under such Regulations as shall from Time to Time be issued by the said Commissioners, or the said Comptroller General or Assistant Comptroller acting under them.

Annuities,
&c. to be
paid at
National
Debt Of-
fice, or at
Savings
Banks, &c.

XXIII. For the Space of Fourteen Days next after any of the said quarterly Days for Payment of the said Annuities respectively no Contract shall be made by or on behalf of the said Commissioners for the Reduction of the National Debt for the Grant or Purchase of any Annuity or Sum payable at Death under this Act, anything herein-before contained to the contrary in anywise notwithstanding.

Contracts
for Annu-
ties not to
be made
for Four-
teen Days
after the
quarterly
Day of
Payment.

XXIV. The said Commissioners for the Reduction of the National Debt shall cause all Monies placed to their said Accounts for the Purchase of Annuities or for securing Payments on Death, in pursuance of the Provisions of this Act or of the

Monies
paid to
Commis-
sioners on
account of
Acts

this Act to be invested in Bank Annuities, Annuities for Terms of Years, or Exchequer Bills, which shall be cancelled.

Commissioners may reserve a Part of such Sums to repay Money claimed in case of Death, &c. of Party purchasing Annuity.

Annuities granted under this Act not assignable, except in case of Bankruptcy or Insolvency.

Transfer may be

Acts hereby repealed, to be invested from Time to Time, under such Regulations as the said Commissioners shall direct, in the Purchase of any Bank Annuities, or Annuities for Terms of Years, or Exchequer Bills, or in either of them, and to be carried to the Accounts herein-before provided; which said Bank Annuities, Annuities for Terms of Years, and Exchequer Bills (as the Case may be) shall be forthwith cancelled, and all Interest or Dividends on such Bank Annuities, Annuities for Terms of Years, or Exchequer Bills shall cease to be charged upon or to be issued out of the Consolidated Fund from and after the Day upon which any such Bank Annuities, Annuities for Terms of Years, or Exchequer Bills shall have been purchased by the said Commissioners: Provided nevertheless, that the said Commissioners for the Reduction of the National Debt may retain and reserve from Time to Time so much of such Monies as shall be necessary for the Purpose of enabling the said Commissioners to return and pay back any Sum of Money as herein-before directed, to such Person as shall have contracted for the Purchase of any Annuity under the Provisions of this Act, or of the Acts hereby repealed, by annual or other Payments, but who may not make good and keep up the same, and who is entitled to receive back the same, or to his, her, or their Executors or Administrators, as well as to the Executors or Administrators of such Person who may die before the Annuity which he, she, or they may have contracted for becomes payable, or for Re-purchase of any Annuity or Annuities in manner herein-after provided.

XXV. The Right, Title, Interest, and Benefit in and to any Annuity of whatsoever Kind, which has been purchased under any Act now in force for the Grant of Annuities through Savings Banks or Parochial Societies, or which may be purchased under the Provisions of this Act, shall not be assignable by the original Proprietor thereof so as to enable the Assignee to receive the same during the Lifetime of the said Proprietor; except in case of the Insolvency or Bankruptcy of an individual Proprietor, when the same shall become the Property of his or her Assignee or Assignees, for the Benefit of his or her Creditors; and in case of any such Bankruptcy or Insolvency the said Commissioners for the Reduction of the National Debt shall re-purchase the said Annuity according to the Value thereof, the same being computed upon the same Tables upon which the said Annuity was originally purchased; and the Receipt of the Assignee or Assignees shall be a sufficient Discharge to the said Commissioners, who shall forthwith cancel the said Annuity.

XXVI. When any Annuity for Life, immediate or deferred, shall

shall have been purchased under the Acts hereby repealed or this Act, in the Names of more Parties than one, the said Commissioners may permit the Party or Parties not beneficially interested therein, jointly with the Party who is beneficially interested, whether such Party be of the Age of Twenty-one Years or not, to transfer the said Annuity or Annuities to other Parties, of whom the Party beneficially interested shall always be One, under such Regulations as the said Commissioners shall prescribe in that respect, for the Purpose of securing that no Assignment shall thereby be made of the Interest of the said Party to any other Person or Persons whatsoever: Provided always, that where the Party beneficially interested is incapable, from any of the Causes set forth in Section Nine of this Act, from joining in such Transfer, the said Commissioners may permit such Transfer, notwithstanding, under such Regulations as shall appear to them to be necessary to secure the Interest of the Party beneficially interested in such Annuity.

XXVII. Life Annuities purchased under the Provisions of this Act shall be free from all Taxes, Charges, or Impositions whatever; and all such Annuities shall be deemed Personal Estate.

XXVIII. An Account shall be made up on the Fifth Day of *January* in every Year, by the Commissioners for the Reduction of the National Debt, of all Annuities of whatsoever Kind granted in pursuance of any of the Acts hereby repealed or under this Act which shall have remained unclaimed for the Space of Three Years then next preceding, and all such Annuities so remaining unclaimed, together with the unclaimed Half-yearly Arrears thereof, and also all such Annuities of whatsoever Kind which shall have expired; and all Half-yearly Arrears thereof shall cease to be charged upon and shall not be issued or issuable out of the said Consolidated Fund from and after the Day upon which such Annuities shall have remained so unclaimed or shall have expired; but nothing in this Act contained shall extend to defeat or prejudice the Rights of any Persons entitled to such unclaimed Annuities who shall at any subsequent Period give Proof of their Title to such Annuities to the satisfaction of the said Commissioners, or the said Comptroller General.

XXIX. No Stamp Duty whatever shall be paid or payable upon or in respect of any Copy of any Register of Birth or Baptism or Marriage or Burial, or upon or in respect of any Certificate or Declaration to be made or taken in pursuance of this Act, or any Certificate or other Instrument whatsoever respecting the Payment of Money for the Purchase of any Annuity

made by Trustees to secure Interest of Party beneficially interested.

Life Annuities to be free from Taxes, and to be Personal Estate.

Yearly Account to be made up of unclaimed Annuities, &c.

Arrears, &c. Years standing to cease to be charged on Consolidated Fund, but not to prejudice Rights of Parties.

Registers, Receipts, &c. exempt from Stamp Duty.

Annuity or Sum payable at Death under this Act, or any Power of Attorney authorizing the Receipt or any Receipt for the Payment of any such Annuity or any Part thereof, or for the Payment of any Sum of Money payable at Death.

If Certificate or Declaration contain any untrue Statement of Age, &c. the Money paid to be forfeited, and Right to Annuity to cease.

XXX. If any Certificate or Declaration shall be produced to the Officer of the Commissioners for the Reduction of the National Debt which shall contain any untrue Statement of the Age of any Person to whom an Annuity has been granted under this Act, or of any Person who has contracted for a Sum payable at Death, with Intent to obtain an Annuity on the Continuance of the Life of any Person under the Age of Ten Years, or to obtain any higher Rate or Amount of Annuity or any Payment on Death greater than would or might be allowed under the Provisions of this Act, according to the true Age of such Person, then and in every such Case all Money which may have been paid for or on account of the Purchase of such Annuity or Payment on Death shall be forfeited to the said Commissioners, and all Right and Title to any Annuity or to any Payment on Death which would or might otherwise have been payable in respect thereof shall cease and determine.

Persons forging Register, Certificate, Transfers, &c. to be liable to Punishment for Forgery.

XXXI. If any Person or Persons shall forge, counterfeit, or alter, or shall cause or procure to be forged, counterfeited, or altered, or shall knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Register or Registers of Birth or Baptism or Death or Burial required under the Provisions of this Act, or any Copy or Certificate of any such Register, or the Name or Names of any Witness or Witnesses to any such Certificate, or any Declaration required to be taken for any of the Purposes of this Act, or any Certificate of any Justice of the Peace or Magistrate, or of any Officer acting under the said Commissioners for the Reduction of the National Debt, of any such Declaration having been taken before him, or any Certificate of any Governor, or Person acting as such, or Minister or Consul, or Chief Magistrate of any Province, Town, or Place, or other Person authorized by this Act to grant any Certificate of the Life or Death of any Annuitant; or shall forge, counterfeit, or alter, or shall cause or procure to be forged, counterfeited or altered, or shall knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Certificate or Certificates of any Officer of the Commissioners for the Reduction of the National Debt, or of any Cashier or Clerk of the Bank of *England* or Bank of *Ireland*, or the Name or Names of any Person or Persons in or to any Certificate or other Instrument for the Payment of Money for the Purchase of any Annuity, or Sum payable at Death,

Death, under the Provisions of this Act, or in or to any Receipt or Discharge for any such Annuity, or in or to any Receipt or Discharge for any Payment or Payments due or to become due thereon, or for any Sum payable at Death, under the Provisions of this Act, or authorizing or purporting to authorize the Receipt of any Life Annuity, or any Annuity for Years, of whatsoever Kind, or Sum payable at Death, granted under this Act, or under either of the Acts hereby repealed, or any Payment or Payments due or to become due thereon ; or if any Person or Persons shall wilfully, falsely, and deceitfully personate any true and real Annuitant, or shall wilfully utter, or deliver or produce to any Person or Persons acting under the Authority of this Act, any such forged Register or Copy of Register, or any such forged Certificate or Declaration, knowing the same to be forged, counterfeited, or altered, with Intent to defraud Her Majesty, Her Heirs and Successors, or with Intent to defraud any Person or Persons whomsoever ; then and in every such Case all and every Persons and Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Laws in force any Persons convicted of Forgery are subject and liable to.

XXXII. If any Person in any Declaration to be made before any Justice of the Peace or Magistrate, or before any Officer acting under the said Commissioners, under the Provisions of this Act, shall wilfully or corruptly declare to any Matter or Thing which shall be false or untrue, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Penalty on
Persons
guilty of
Perjury.

XXXIII. If any Person or Persons shall for his, her, or their own Use, or for the Use of any other Person or Persons, receive any One or more Payment or Payments (otherwise than as authorized by this Act) upon or in respect of any Annuity granted under the Provisions of this Act or of the Acts hereby repealed, after the Death of any Annuitant on the Continuance of whose Life such Annuity was payable, or after the Death of either Annuitant, in case the Annuity shall have been granted upon the joint Continuance of the Lives of Two joint Annuitants, and after and beyond the Time on which such Annuity ought wholly to cease in consequence of the Death of such Annuitant, by virtue of this Act or the Acts hereby repealed, knowing such Annuitant to be dead, and contrary to the true Intent and Meaning of this Act, every Person

Penalty on
receiving
Annuity
after
Death of
Nominee,
treble the
Amount
received.

Person so offending shall forfeit to Her Majesty, Her Heirs and Successors, treble the Amount of all Money so received.

Recovery
and Appli-
cation of
Penalties.

XXXIV. All pecuniary Penalties and Forfeitures imposed by this Act shall be recoverable (if incurred in *England*) in the Name of Her Majesty's Attorney General, on the Part of Her Majesty, by Information in the Court of Exchequer at *Westminster*, or (if incurred in *Ireland*) in the Name of Her Majesty's Attorney General in the Court of Exchequer at *Dublin*, or (if incurred in *Scotland*) in the Name of Her Majesty's Advocate General in the Court of Exchequer in *Edinburgh*; and such Penalty and Forfeiture shall be payable and paid to the said Commissioners, and shall go and belong to and shall become Part of the Consolidated Fund; and it shall be lawful for the Commissioners for the Reduction of the National Debt to cause such Reward as they shall think fit, not exceeding One Moiety of any such Penalty or Forfeiture so recovered, after deducting all Charges and Expenses incurred in recovering the same, to be paid to any Person or Persons who shall appear to them to be entitled thereto as Informer or Informers in respect of such Penalty or Forfeiture so recovered.

Power to
cause Re-
ward to be
paid to In-
formers.

Provision
for defray-
ing Ex-
penses at-
tending
the Execu-
tion of
this Act.

XXXV. The Lord High Treasurer or the Commissioners of Her Majesty's Treasury may order and direct to be issued and paid, out of the Fund upon which the Establishment of the Commissioners for the Reduction of the National Debt is chargeable, any Sum or Sums of Money for the Payment of Salaries to Officers and Clerks, and for any incidental Expenses incurred by the said Commissioners for the Reduction of the National Debt in carrying into execution this Act, in such Manner as the said Lord High Treasurer or Commissioners of the Treasury shall from Time to Time think fit and reasonable.

Account to
be laid an-
nually be-
fore Par-
liament of
Annuities
granted,
and of
Money
paid for
Annuities.

XXXVI. There shall be prepared and annually laid before both Houses of Parliament on or before the Twenty-fifth Day of *April* in every Year, if Parliament shall be then sitting, and if Parliament shall not be then sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament, an Account, made up by the Commissioners for the Reduction of the National Debt to the Fifth Day of *January* preceeding, of the gross Amount of all Sums of Money paid to the said Commissioners, and the gross Amount of Annuities for Lives which shall have been granted for the same, and Contracts for Payment at Death which may have been made under the Provisions of this Act, within the Year ending on the Fifth Day of *January* as aforesaid.

XXXVII. All

XXXVII. All Powers of Attorney which shall have been granted for the Purpose of receiving any Annuity purchased under the said recited Acts or either of them, and which shall be in force on the Tenth Day of *October* One thousand eight hundred and fifty-three, shall continue of like Validity with respect to any Payment on Account of such Annuities to be thereafter made by the said Commissioners under the Authority of this Act so long as such powers of Attorney shall continue in force.

Powers of Attorney granted under recited Acts to be available under this Act.

CAP. XLVI.

An Act to transfer Westminster Bridge and the Estates of "The Commissioners of Westminster Bridge," to the Commissioners of Her Majesty's Works and Public Buildings; and to enable such last mentioned Commissioners to remove the present Bridge, and to build a new Bridge on or near the Site thereof.
—[4th August 1853.]

CAP. XLVII.

An Act to provide for the Purchase and Extinguishment of all Rights of Common and Lammas and other Commonable Rights over the Site of Battersea Park in the County of Surrey.—[4th August 1853.]

CAP. XLVIII.

An Act for the Punishment of Offences in the Colonies in relation to the Coin.—[4th August 1853.]

CAP. XLIX.

An Act to extend the Provisions of an Act of the Fifteenth and Sixteenth Years of Her present Majesty,

intituled An Act to enable Colonial and other Bishops to perform certain Episcopal Functions, under Commission from Bishops of *England* and *Ireland*.—[4th August 1853.]

CAP. L.

An Act to effect Exchange of Patronage by Archbishops, Bishops, and other Ecclesiastical Corporations.—[4th August 1853.]

CAP. LI.

An Act for granting to Her Majesty Duties on Succession to Property, and for altering certain Provisions of the Acts charging Duties on Legacies and Shares of Personal Estates.—[4th August 1853.]

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies for defraying Your Majesty's Public Expenses, and making a permanent Addition to the Public Revenue, have freely and voluntarily resolved to grant unto Your Majesty the Duties herein-after mentioned ; and do most humbly beseech Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

I. In the Construction and for the Purposes of this Act, The Term "Real Property" shall include all Freehold, Copyhold, Customary, Leasehold, and other Hereditaments, and Heritable Property, whether corporeal or incorporeal, in *Great Britain* and *Ireland*, except Money secured on Heritable

Interpre-
tation of
certain
Terms in
this Act.

Heritable Property in *Scotland*, and all Estates in any such Hereditaments :

The Term "Personal Property" shall not include Leaseholds, but shall include Money payable under any Engagement, and Money secured on Heritable Property in *Scotland*, and all other Property not comprised in the preceding Definition of Real Property :

The Term "Property" alone shall include Real Property and Personal Property :

The Term "Succession" shall denote any Property chargeable with Duty under this Act :

The Term "Trustee" shall include an Executor and Administrator, and any Person having or taking on himself the Administration of Property affected by any express or implied Trust :

The Term "Person" shall include a Body Corporate, Company, and Society :

The Term "Legacy Duty Acts" shall denote the Acts now in force for charging Duties on Legacies and Shares of the Personal Estates of deceased Persons.

II. Every past or future Disposition of Property, by reason whereof any Person has or shall become beneficially entitled to any Property or the Income thereof upon the Death of any Person dying after the Time appointed for the Commencement of this Act, either immediately or after any Interval, either certainly or contingently, and either originally or by way of substitutive Limitation, and every Devolution by Law of any beneficial Interest in Property, or the Income thereof, upon the Death of any Person dying after the Time appointed for the Commencement of this Act, to any other Person, in possession or expectancy, shall be deemed to have conferred or to confer on the Person entitled by reason of any such Disposition or Devolution a "Succession;" and the Term "Successor" shall denote the Person so entitled; and the Term "Predecessor" shall denote the Settler, Disposer, Testator, Obligor, Ancestor, or other Person from whom the Interest of the Successor is or shall be derived.

What Dispositions and Devolutions of Property shall confer Successions.

Definition of the Terms "Successor," "Predecessor."

III. Where any Persons shall, at or after the Time appointed for the Commencement of this Act, have any Property vested in them jointly, by any Title not conferring on them a Succession, any beneficial Interest in such Property accruing to any of them by Survivorship shall be deemed to be a Succession; and every Person to whom any such Interest shall accrue shall be deemed to be the Successor; and the Person upon whose death such Accruer shall take place shall be deemed to be the Predecessor; and where any Persons after the Time appointed

Joint Tenants taking by Survivorship to be deemed Successors.

appointed for the Commencement of this Act shall take any Succession jointly, they shall pay the Duty, if any, chargeable thereon by this Act in proportion to their respective Interests in the Succession; and any beneficial Interest in such Succession, accruing to any of them by Survivorship, shall be deemed to be a new Succession, derived from the Predecessor from whom the joint Title shall have been derived.

General Powers of Appointment to confer Successions.

IV. Where any Person shall have a general Power of Appointment under any Disposition of Property taking effect upon the Death of any Person dying after the Time appointed for the Commencement of this Act, over Property, he shall, in the event of his making any Appointment thereunder, be deemed to be entitled, at the Time of his exercising such Power to the Property or Interest thereby appointed as a Succession derived from the Donor of the Power; and where any Person shall have a limited Power of Appointment, under a Disposition taking effect, upon any such Death, over Property, any Person taking any Property by the Exercise of such Power shall be deemed to take the same as a Succession derived from the Person creating the Power as Predecessor.

Extinction of determinable Charges to confer Successions.

V. Where any Property shall at or after the Time appointed for the Commencement of this Act be subject to any Charge, Estate, or Interest, determinable by the Death of any Person, or at any Period ascertainable only by reference to Death, the Increase of Benefit accruing to any Person or Persons upon the Extinction or Determination of such Charge, Estate, or Interest shall be deemed to be a Succession accruing to the Person, or the Persons, if more than One, then entitled beneficially to the Property or the Income thereof, according to his or their respective Estates or Interests therein, or beneficial Enjoyment thereof; and the Person or Persons from whom such Successor or Successors respectively shall have derived Title to the Property so charged shall be deemed to be the Predecessor or Predecessors, as the Case may be.

Persons now beneficially entitled to Real Property subject to Leases for Life, not liable to Duty.

VI. Provided that no Person entitled, at the Time appointed for the Commencement of this Act, to the immediate Reversion in any Real Property expectant upon the Determination of any Lease for Life or for Years determinable on Life, shall be chargeable with Duty in respect of such Determination, in the event of the same occurring in his Lifetime.

Dispositions accompanied

VII. Where any Disposition of Property, not being a *bona fide* Sale, and not conferring an Interest expectant on Death on the Person in whose Favour the same shall be made, shall be accompanied by the Reservation or Assurance of or Contract for any Benefit to the Grantor, or any other Person, for any Term

Term of Life or for any Period ascertainable only by reference to Death, such Disposition shall be deemed to confer at the Time appointed for the Determination of such Benefit an Increase of beneficial Interest in such Property, as a Succession equal in annual Value to the yearly Amount or yearly Value of the Benefit so reserved, assured, or contracted for, on the Person in whose Favour such Disposition shall be made.

VIII. Where any Disposition of Property shall be made to take effect at a Period ascertainable only by reference to the Date of the Death of any Person dying after the Time appointed for the Commencement of this Act, such Disposition shall be deemed to confer a Succession on the Person in whose Favour the same shall be made ; and where any Disposition of Property shall purport to take effect presently, or under such Circumstances as not to confer a Succession, but by the Effect or in consequence of any Engagement, secret Trust, or Arrangement capable of being enforced in a Court of Law or Equity, the beneficial Ownership of such Property shall not *bona fide* pass according to such Disposition, but shall in fact devolve to any Person on Death, or at some Period ascertainable only by reference to Death, then such last-mentioned Person shall be deemed to acquire the Property so passing as a Succession derived from the Person making the Disposition as the Predecessor ; and where any Court of competent Jurisdiction shall declare any Disposition to have been fraudulent and made for the Purpose of evading the Duty imposed by this Act, it shall be lawful for such Court to declare a Succession to have been conferred on such Person at such Time and to such an Extent as such Court shall think just ; and such last-mentioned Person shall be deemed to have taken a Succession accordingly derived from the Person making such Disposition as Predecessor.

IX. The Duties herein-after imposed shall be considered as Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue, herein-after called "The Commissioners ;" who, by themselves and their Officers, shall have the same Powers and Authorities for the Collection, Recovery, and Management thereof, as are by an Act passed in the Session holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, Chapter One, or by any other Act or Acts, vested in them for the Collection, Recovery, and Management of any Stamp Duties ; and shall provide proper Stamps for denoting the Rate *per Centum* of the Duties payable under this Act ; and shall have all other Powers and Authorities requisite for carrying this Act into execution.

X. There

by the Reservation of a Benefit to the Grantor, &c. to confer Successions.

Dispositions to take effect at Periods depending on Death, or made for evading Duty, to confer Successions.

Duties to be under the Care and Management of the Commissioners of Inland Revenue.

Duties on
Successions.

X. There shall be levied and paid to Her Majesty in respect of every such Succession as aforesaid, according to the Value thereof, the following Duties: (that is to say,)

Where the Successor shall be the lineal Issue or lineal Ancestor of the Predecessor, a Duty at the Rate of One Pound *per Centum* upon such Value :

Where the Successor shall be a Brother or Sister, or a Descendant of a Brother or Sister of the Predecessor, a Duty at the Rate of Three Pounds *per Centum* upon such Value :

Where the Successor shall be a Brother or Sister of the Father or Mother, or a Descendant of a Brother or Sister of the Father or Mother of the Predecessor, a Duty at the Rate of Five Pounds *per Centum* upon such Value :

Where the Successor shall be a Brother or Sister of the Grandfather or Grandmother, or a Descendant of the Brother or Sister of the Grandfather or Grandmother of the Predecessor, a Duty at the Rate of Six Pounds *per Centum* upon such Value :

Where the Successor shall be in any other Degree of collateral Consanguinity to the Predecessor than is herein-before described, or shall be a Stranger in Blood to him, a Duty at the Rate of Ten Pounds *per Centum* upon such Value.

Provision
as to mar-
ried Per-
sons
chargeable
with Suc-
cession or
Legacy
Duties.

XI. Where any Person chargeable with Duty under this Act in respect of any Succession, or chargeable with Duty under the Legacy Duty Acts in respect of any Legacy bequeathed to him or her by a Testator dying after the Time appointed for the Commencement of this Act, or in respect of the Personal Estate of any Person dying after the same Period, shall have been married to any Wife or Husband of nearer Consanguinity than himself or herself to the Predecessor, Testator, or deceased Person, then the Person taking such Succession, Legacy, or Personal Estate shall pay in respect thereof the same Rate of Duty only as such his or her Wife or Husband would have been chargeable with if she or he had taken the same.

What Du-
ties pay-
able when
the Suc-
cessor is
also the
Predeces-
sor.

XII. Where any Person shall take a Succession under a Disposition made by himself, then, if at the Date of such Disposition he shall have been entitled to the Property comprised in the Succession expectantly on the Death of any Person dying after the Time appointed for the Commencement of this Act, and such Person shall have died during the Continuance of such Disposition, he shall be chargeable with Duty on his Succession, at the same Rate as he would have been chargeable with if no such Disposition had been made ; but a Successor shall not in any other Case be chargeable with Duty upon a Succession taken under a Disposition made by himself,

himself, and no Person shall be chargeable with Duty upon the Extinction or Determination of any Charge, Estate, or Interest created by himself, unless at the Date of the Creation thereof he shall have been entitled to the Property subjected thereto expectantly on the Death of some Person dying after the Time appointed for the Commencement of this Act.

XIII. Where the Successor shall derive his succession from more Predecessors than One, and the proportional Interest derived from each of them shall not be distinguishable, it shall be lawful for the Commissioners to agree with the Successor as to the Duty payable; but if no such Agreement shall be made, the Successor shall be deemed to have derived his Succession in equal Proportions from each Predecessor, and shall be chargeable with Duty accordingly.

Provision
as to joint
Prede-
cessors.

XIV. Where the Interest of any Successor in any Personal Property shall, before he shall have become entitled thereto in possession, have passed by reason of Death to any other Successor or Successors, then One Duty only shall be paid in respect of such Interest, and shall be due from the Successor who shall first become entitled thereto in possession; but such Duty shall be at the highest Rate which, if every such Successor had been subject to Duty, would have been payable by any One of them.

Duty on
transmit-
ted Suc-
cessions.

XV. Where, at the Time appointed for the Commencement of this Act, any reversionary Property expectant on Death shall be vested, by Alienation or other derivative Title, in any Person other than the Person who shall have been originally entitled thereto under any such Disposition or Devolution as is mentioned in the Second Section of this Act, then the Person in whom such Property shall be so vested shall be chargeable with Duty in respect thereof as a Succession at the same Time and at the same Rate as the Person so originally entitled would have been chargeable with if no such Alienation had been made or derivative Title created; and where, after the Time appointed for the Commencement of this Act, any Succession shall, before the Successor shall have become entitled thereto or to the Income thereof in possession, have become vested by Alienation or by any Title not conferring a new Succession in any other Person, then the Duty payable in respect thereof shall be paid at the same Rate and Time as the same would have been payable if no such Alienation had been made or derivative Title created; and where the Title to any Succession shall be accelerated by the Surrender or Extinction of any prior Interests, then the Duty thereon shall be payable at the same Time and in the same Manner as such Duty would have been payable if no such Acceleration had taken place.

Duties
payable in
respect of
transfer-
red Inte-
rests.

XVI. Where

Succession
subject to
Trusts for
charitable
or public
Purposes
chargeable
with Duty.

XVI. Where Property shall become subject to a Trust for any charitable or Public Purposes, under any past or future Disposition, which, if made in favour of an Individual, would confer on him a Succession, there shall be payable in respect of such Property, upon its becoming subject to such Trusts, a Duty at the Rate of Ten Pounds *per Centum* upon the Amount or principal Value of such Property; and it shall be lawful for the Trustee of any such Property to raise the Amount of any Duty due in respect thereof, with all reasonable Expenses, upon the Security of the Charity Property, at Interest, with Power for him to give effectual Discharges for the Money so raised.

Provision
for Life
Policies
and certain
Post Obit
Bonds.

XVII. No Policy of Insurance on the Life of any Person shall create the Relation of Predecessor and Successor between the Insurers and the Assured, or between the Insurers and any Assignee of the Assured, and no Bond or Contract made by any Person *bona fide* for valuable Consideration in Money or Money's Worth, for the Payment of Money or Money's Worth after the Death of any other Person, shall create the Relation of Predecessor and Successor between the Person making such Bond or Contract and the Person to or with whom the same shall be made; but any Disposition or Devolution of the Monies payable under such Policy, Bond, or Contract, if otherwise such as in itself to create a Succession within the Provisions of this Act, shall be deemed to confer a Succession.

Exemp-
tions.

XVIII. Where the whole Succession or Successions derived from the same Predecessor and passing upon any Death to any Person or Persons shall not amount in Money or Principal Value to the sum of One hundred Pounds, no Duty shall be payable under this Act in respect thereof or of any Portion thereof; and no Duty shall be payable under this Act upon any Succession, which, as estimated according to the Provisions of this Act, shall be of less Value than Twenty Pounds in the whole, or upon any Monies applied to the Payment of the Duty on any Succession according to any Trust for that Purpose, or by any Person in respect of a Succession, who, if the same were a Legacy bequeathed to him by the Predecessor, would be exempted from the Payment of Duty in respect thereof under the Legacy Duty Acts; and no Person shall be charged with Duty under this Act in respect of any Interest surrendered by him or extinguished before the Time appointed for the Commencement of this Act; and no Person charged with the Duties on Legacies and Shares of Personal Estate under the Legacy Duty Acts, in respect of any Property subject to such Duties, shall be charged also with the Duty granted by

by this Act in respect of the same Acquisition of the same Property.

XIX. No Legatee or other Person shall, after the Time appointed for the Commencement of this Act, be chargeable under the Legacy Duty Acts with Duty, not then already due, in respect of any Leasehold Hereditaments of any Testator or deceased Person, as belonging to the Personal Estate of the Testator or Deceased.

Leasehold Estates not to be charged with Legacy Duty as Personal Estate.

XX. The Duty imposed by this Act shall be paid at the Time when the Successor, or any Person in his Right or on his Behalf, shall become entitled in possession to his Succession, or to the Receipt of the Income and Profits thereof; except that if there shall be any prior Charge, Estate, or Interest, not created by the Successor himself, upon or in the Succession, by reason whereof the Successor shall not be presently entitled to the full Enjoyment or Value thereof, the Duty in respect of the increased Value accruing upon the Determination of such Charge, Estate, or Interest shall, if not previously paid, compounded for, or commuted, be paid at the Time of such Determination; and except that in Case of an Annuity, or Property hereby made chargeable as an Annuity, the Duties shall be paid by such Instalments as are herein-after directed or referred to; provided that no Duty shall be payable upon the Determination of any Lease purporting at the Date thereof to be a Lease at Rackrent, in respect of the Increase accruing to the Successor upon such Determination.

Duties to be paid on the Successor becoming entitled in possession, but in the Case of outstanding Interests, on the Determination thereof.

XXI. The Interest of every Successor, except as herein provided, in Real Property, shall be considered to be of the Value of an Annuity equal to the annual Value of such Property, after making such Allowances as are herein-after directed, and payable from the Date of his becoming entitled thereto in possession, or to the Receipt of the Income or Profits thereof during the Residue of his Life, or for any less Period during which he shall be entitled thereto; and every such Annuity, for the Purposes of this Act, shall be valued according to the Tables in the Schedule annexed to this Act; and the Duty chargeable thereon shall be paid by Eight equal half-yearly Instalments, the First of such Instalments to be paid at the Expiration of Twelve Months next after the Successor shall have become entitled to the beneficial Enjoyment of the Real Property in respect whereof the same shall be payable, and the Seven following Instalments at half-yearly Intervals of Six Months each, to be computed from the Day on which the First Instalment shall have become due, provided that if the Successor shall die before all such Instalments shall have become due, then any Instalments not due at his Decease shall

The Interest of a Successor in Real Property to be considered as an Annuity.

shall cease to be payable, except in the Case of a Successor who shall have been competent to dispose by Will of a continuing Interest in such Property, in which Case the Installments unpaid at his Death shall be a continuing Charge on such Interest, in exoneration of his other Property, and shall be payable by the Owner for the Time being of such Interest.

Rules for
valuing
Lands,
Houses,
&c.

XXII. In estimating the annual Value of Lands used for Agricultural Purposes, Houses, Buildings, Tithes, Teinds, Rent-charges, and other Property, yielding or capable of yielding Income not of a fluctuating Character, an Allowance shall be made of all necessary Outgoings.

Rule as to
Timber.

XXIII. Where Timber, Trees, or Wood, not being Coppice or Underwood, shall be comprised in any Succession, the Successor shall be chargeable with Duty upon his Interest in the net Monies, after deducting all necessary Outgoings for the Year, which shall from Time to Time be received from any Sales of such Timber, Trees, or Wood, and shall account for and pay the same yearly; provided that no Duty shall be payable on the net Monies received from the Sale of Timber, Trees, or Wood in any One Year unless such net Monies shall exceed the Sum of Ten Pounds; provided, that if the Successor shall be desirous of commuting the Duty, and shall deliver to the Commissioners an Estimate of the net Monies obtainable by him from the Sale of such Timber, Trees, and Wood as may, in a prudent Course of Management of the Property, be felled by such Successor during his Life, the Commissioners, if satisfied with such Estimate, shall accept the same and assess the Duty accordingly.

Rule as to
Advow-
sons.

XXIV. A Successor shall not be chargeable with Duty in respect of any Advowson or Church Patronage comprised in his Succession, unless the same, or some Right of Presentation, or some other Interest in or out of such Advowson or Church Patronage, shall be disposed of by or in concert with him for Money or Money's Worth, in which Case he shall be chargeable with Duty upon the Amount or Value of the Money or Money's Worth, for which the same or any such Presentation or Interest, shall be so disposed of at the Time of such Disposal.

Rule as to
Property
subject to
beneficial
Leases.

XXV. Where a Successor, entitled to any Real Property, subject to any Lease by reason whereof he shall not be presently entitled to the full Enjoyment thereof, shall not have paid Duty in respect of the full yearly Value of such Property, he shall be chargeable with Duty upon his Interest in any Fine or Grassum or other Consideration which may be received during his Life for the Renewal of any such Lease, or the Grant of any Reversionary Lease of the same Property.

XXVI. The

XXVI. The Yearly Value of any Manor, opened Mine, or other Real Property of a fluctuating yearly Income shall either be calculated upon the average Profits or Income derived therefrom, after deducting all necessary Outgoings, during such a Number of preceding Years as shall be agreed upon, for this Purpose between the Commissioners and the Successor, before the first Payment of Duty on the Succession shall have become due, or, if no such Period shall be agreed upon, then the principal Value of such Property shall be ascertained, and the annual Value thereof shall be considered to be equal to Interest calculated at the Rate of Three Pounds *per Centum per Annum* on the Amount of such principal Value.

Rule as to
Manors,
Mines, &c.

XXVII. Where any Body Corporate, Company, or Society shall become entitled, as Successors, to any Real Property, the Duty in respect thereof shall be assessed upon the principal Value of such Property, but shall be payable by such Installments, at such Times, and in such Manner as the same would be payable if assessed in respect of Property devolving on a Successor in Fee Simple; and it shall be lawful for such Body Corporate, Company, or Society, or any Trustee thereof, to raise the Amount of any Duty due in respect of their Succession upon the Security thereof, at Interest, with Power for them to give effectual Discharges for the Money so raised.

Duty pay-
able by
Corpora-
tions, &c.
taking
Real
Estates.

XXVIII. If a Successor, or any Person on his Behalf, upon becoming entitled to any Copyhold or other Real Property, shall be subject to any Fines, Casualties of Superiority, Compositions, Reliefs, or Charges incident to the Tenure thereof, and due in respect of his Succession, he shall be entitled to have a Deduction allowed to him of the Amount of such Fines, Casualties, Compositions, Reliefs, or Charges from the Assessable Value of his Interest in such Copyhold or other Real Property.

Allowance
for Fines,
&c. paid
by Suc-
cessor.

XXIX. The Interest of any Successor in Monies to arise from the Sale of Real Property under any Trust for the Sale thereof, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, shall be deemed to be Personal Property chargeable with Duty under this Act; provided that where such Monies shall be subject to any Trust for the Reinvestment thereof in the Purchase of other Real Property, to which the Successor would not be absolutely entitled, such Monies shall be deemed to be Real Property, and for the Purpose of this Act each Successor's Interest therein shall be considered to be of the Value of an Annuity, payable during his Life, or for any less Period during which he shall be entitled, equal in Amount to the annual Produce of the actual Trust Property at the Time of his becoming entitled in possession,

Real Prop-
erty di-
rected to
be sold to
be charged
as Person-
alty.

session, whether the same shall then be the Real Property subject to the Trust or Direction for Sale, or any Property purchased in substitution for it, or any intermediate Investment of the Produce of the Sale of the original Property.

Personal
Property
to be in-
vested in
Real Pro-
perty how
to be
charged.

XXX. The Interest of any Successor in Personal Property subject to any Trust for the Investment thereof in the Purchase of Real Property to which the Successor would be absolutely entitled shall, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, be chargeable with Duty under this Act as Personal Property; and Personal Property subject to any Trust for the Investment thereof in the Purchase of Real Property to which the Successor would not be absolutely entitled shall, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, be chargeable with Duty under this Act as Real Property; and for the Purposes of this Act each Successor's Interest therein shall be considered to be of the Value of an Annuity, payable during his Life, or for any less Period during which he shall be entitled, equal in Amount to the annual Produce of the actual Trust Property at the Time of his becoming entitled in possession, whether the same shall be the Real Property directed to be purchased, or any intermediate Investment of the Personal Property directed to be invested in such Purchase.

Annuities
under this
Act and
the Legacy
Duty Acts
to be valu-
ed accord-
ing to the
Tables an-
nexed to
this Act.

XXXI. Where it shall be required to calculate, for the Purposes either of this Act or of the Legacy Duty Acts, the Value of any Annuity, or of any Interest chargeable with Duty as an Annuity, such Value shall, after the Time appointed for the Commencement of this Act, be calculated according to the Tables in the Schedule annexed to this Act, and not according to the Tables in the Schedule annexed to the Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-two, and such Annuity or Interest shall be chargeable with Duty accordingly.

Provisions
as to the
Assess-
ment of
Personal-
ty.

XXXII. The following Provisions relating to the Assessment and Payment of Duty on Personal Estate and the Exemption thereof from Duty in certain Cases, namely, the Eighth, Tenth, Eleventh, Twelfth, Fourteenth, and Twenty-third Sections of the said Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-two, shall be applicable to the Personal Property comprised in any Succession, and to the Assessment and Payment of Duty thereon, as if such Personal Property were a Legacy bequeathed by the Predecessor to the Successor, and were subject to the said Provisions, and as if the Tables in the said Act referred to were the Tables in the Schedules annexed to this Act.

Allowance
to Donee

XXXIII. Where the Donee of a general Power of Appoint-
ment

ment shall become chargeable with Duty in respect of the Property appointed by him under such Power, he shall be allowed to deduct from the Duty so payable any Duty he may have already paid in respect of any limited Interest taken by him in such Property.

of general Power of Appointment.

XXXIV. In estimating the Value of a Succession no Allowance shall be made in respect of any Incumbrance thereon created or incurred by the Successor, not made in execution of a prior special Power of Appointment, but an Allowance shall be made in respect of all other Incumbrances, and also in respect of any Monies which the Successor may previously to his Possession have laid out in the substantial Repairs or permanent Improvement of Real Property comprised in his Succession; provided that upon any Successor becoming entitled to Real Property subject to any prior Principal Charge, an Allowance shall be made to him in respect only of the yearly Sums payable by way of Interest or otherwise on such Charge as reducing the annual Value *pro tanto* of such Real Property.

What Allowance to be made for Incumbrances.

XXXV. In estimating the Value of a Succession no Allowance shall be made in respect of any contingent Incumbrance thereon; but in the event of such Incumbrance taking effect as an actual Burden on the Interest of the Successor, he shall be entitled to a Return of a proportionate Amount of the Duty so paid by him in respect of the Amount or Value of the Incumbrance when taking effect.

No Allowance to be made in respect of contingent Incumbrances, unless they take effect.

XXXVI. In estimating the Value of a Succession no Allowance shall be made in respect of any Contingency upon the happening of which the Property may pass to some other Person; but in the event of the same so passing the Successor shall be entitled to a Return of so much of the Duty paid by him as will reduce the same to the Amount which would have been payable by him if such Duty had been assessed in respect of the actual Duration or Extent of his Interest.

The Duty on Successions to be calculated without regard to Contingencies.

XXXVII. Where a Successor shall not have obtained the whole of his Succession at the Time of the Duty becoming payable, he shall be chargeable only with Duty on the Value of the Property or Benefit from Time to Time obtained by him; and whenever any Duty shall have been paid on account of any Succession, and it shall afterwards be proved to the Satisfaction of the Commissioners that such Duty, not being due from the Person paying the same, was paid by Mistake, or was paid in respect of Property which the Successor shall have been unable to recover, or from or of which he shall have been evicted or deprived by any superior Title, or that for any other Reason it ought to be refunded, the Commissioners shall thereupon refund the same to the Person entitled thereto.

Provision for Allowance or return of Duty.

XXXVIII. Where

Allowance
to be made
to Successor
in respect of
relinquished
Property.

Power for
Commissioners
to compound
Duties.

Power of
Commissioners
to receive
Duty in
advance.

Power for
Commissioners
to commute
future
Duties.

Duty to be
a First
Charge on
Property.

XXXVIII. Where any Successor upon taking a Succession shall be bound to relinquish or be deprived of any other Property, the Commissioners shall, upon the Computation of the assessable Value of his Succession, make such Allowance to him as may be just in respect of the Value of such Property.

XXXIX. Where, in the Opinion of the Commissioners, any Succession shall be of such a Nature, or so disposed or circumstanced, that the Value thereof shall not be fairly ascertainable under any of the preceding Directions, or where, from the Complication of Circumstances affecting the Value of a Succession, or affecting the Assessment or Recovery of the Duty thereon, the Commissioners shall think it expedient to exercise this present Authority, it shall be lawful for them to compound the Duty payable on the Succession upon such Terms as they shall think fit, and to give Discharges to the Successor, upon Payment of Duty according to such Composition; and it shall be lawful for them, in any special Cases in which they may think it expedient so to do, to enlarge the Time for Payment of any Duty.

XL. It shall be lawful for the Commissioners to receive any Duty tendered to them in advance, and to allow Discount thereon at the Rate of Four Pounds *per Centum per Annum*, or at such other Rate as may from Time to Time be directed by the Commissioners of Her Majesty's Treasury; and no Person, by reason of his having made any Payment of Duty in advance, shall be prejudiced in his Right to have any Repayment of Duty made to him to which he may become entitled under any of the Provisions of this Act.

XLI. It shall be lawful for the Commissioners, in their Discretion, upon Application made by any Person who shall be entitled to a Succession in expectancy, to commute the Duty presumptively payable in respect of such Succession for a certain Sum to be presently paid, and for assessing the Amount which shall be so payable they shall cause a present Value to be set upon such Presumptive Duty, regard being had to the Contingencies affecting the Liability to such Duty, and the Interest of Money involved in such Calculation being reckoned at the Rate for the Time being allowed by the Commissioners in respect of Duties paid in advance; and upon the Receipt of such certain Sum they shall give Discharges to the Successor accordingly.

XLII. The Duty imposed by this Act shall be a First Charge on the Interest of the Successor, and of all Persons claiming in his Right, in all the Real Property in respect whereof such Duty shall be assessed; and such Duty shall also be a First Charge on the Interest of the Successor in the Personal

sonal Property in respect whereof the same shall be assessed, while the same shall remain in the Ownership or Control of the Successor, or of any Trustee for him, or of his Guardian or Committee, or Tutor or Curator, or of the Husband of any Wife who shall be the Successor; and the said Duty shall be a Debt due to the Crown from the Successor, having, in the Case of Real Property comprised in any Succession, Priority over all Charges and Interests created by him, but such Duty shall not charge or affect any other Real Property of the Successor than the Property comprised in such Succession; provided, that where any settled Real Property comprised in a Succession shall be subject to any Power of Sale, Exchange, or Partition, exerciseable with the Consent of the Successor, or by the Successor with the Consent of another Person, he shall not be disqualified by the Charge of Duty on his Succession from effectually authorizing by his Consent the Exercise of such Power, or exercising any Power with Proper Consent, as the Case may be, and in such Case the Duty shall be charged substitutively upon the Successor's Interest in all Real Property acquired in substitution for the Real Property before comprised in the Succession, and in the meantime upon his Interest also in all Monies arising from the Exercise of any such Power, and in all Investments of such Monies.

XLIII. The Commissioners shall, at the Request of any Successor, or any Person claiming in his right, accept or cause to be made so many separate Assessments of the Duty payable in respect of the Interest of the Successor in any separate Properties, or in defined Portions of the same Property, as shall be reasonably required; and in such Cases the respective Properties shall be chargeable only with the Amount of Duty separately assessed in respect thereof; and it shall be lawful also for the Commissioners, by their Certificates, to be issued in such Form as they shall think fit, from Time to Time to declare that any Duties already assessed, whether collectively or distributively, in respect of any Succession, shall thenceforth be charged, as to any unpaid Instalments, according to any further Distribution thereof, upon separate Parts only of the Property in respect of which such Assessment shall have been made, in which Case the Charge of such Duties shall be thenceforth limited according to such further Distribution.

XLIV. The following Persons, besides the Successor, shall be personally accountable to Her Majesty for the Duty payable in respect of any Succession, but to the Extent only of the Property or Funds actually received or disposed of by them respectively after the Time appointed for the Commencement of this Act; that is to say, every Trustee, Guardian, Committee,

Provision
for the
separate
Assess-
ments of
Propert-
ies.

What Per-
sons ac-
countable
for Duty.

Committee, Tutor, or Curator, or Husband, in whom respectively any Property, or the Management of any Property, subject to such Duty shall be vested, and every Person in whom the same shall be vested by Alienation or other derivative Title at the Time of the Succession becoming an Interest in Possession; and all such Trustees, Guardians, Committees, Tutors, Curators, Husbands, and Persons shall be authorized to compound or pay in advance or commute any Duty, and retain out of the Property, subject to any such Duty, the Amount thereof, or to raise such Amount, and the Expenses incident thereto, at Interest on the Security of such Property, with Power to give effectual Discharges for the same, and such Security shall have Priority over any Charge or Incumbrance created by the Successor; and in the event of the Non-payment of such Duty as aforesaid every Person hereby made accountable shall be a Debtor to Her Majesty in the Amount of the unpaid Duty for which he shall be so accountable.

Notice of
Succession
to be given
to the
Commis-
sioners,
and a Re-
turn of the
Property
made.

XLV. The Persons hereby made accountable for the Payment of Duty in respect of any Succession, or some of them, shall in the case of Personal Property, at the Time of the first Payment, Delivery, Retainer, Satisfaction, or other Discharge of the same or any Part thereof to or for the Successor or any Person in his Right, and in the Case of Real Property when any Duty in respect thereof shall first become payable, give Notice to the Commissioners or to their Officers of their Liability to such Duty, and shall at the same Time deliver to the Commissioners or to their Officers a full and true Account of the Property for the Duty whereon they shall respectively be accountable, and of the Value thereof, and of the Deductions claimed by them, together with the Names of the Successor and Predecessor, and their Relation to each other, and all such other Particulars as shall be necessary or proper for enabling the Commissioners fully and correctly to ascertain the Duties due; and the Commissioners, if satisfied with such Account and Estimate as originally delivered, or with any Amendments that may be made therein upon their Requisition, may assess the Succession Duty on the Footing of such Account and Estimate; but it shall be lawful for the Commissioners, if dissatisfied with such Account and Estimate, to cause an Account and Estimate to be taken by any Person or Persons to be appointed by themselves for that Purpose, and to assess the Duty on the Footing of such last-mentioned Account and Estimate, subject to Appeal, as herein-after provided; and if the Duty so assessed shall exceed the Duty assessable according to the Return made to the Commissioners, and with which they shall have been dissatisfied, and if there shall be no Appeal
against

against such Assessment, then it shall be in the Discretion of the Commissioners, having regard to the Merits of each Case, to charge the whole or any Part of the Expenses incident to the taking of such last-mentioned Account and Estimate on the Interest of the Successor in respect whereof the duty shall be due, in increase of such Duty, and to recover the same forthwith accordingly; and if there shall be an Appeal against such last-mentioned Assessment, then the payment of such Expenses shall be in the Discretion of the Court of Appeal herein-after appointed.

XLVI. If any Person required to give any such Notice or deliver such Account as aforesaid shall wilfully neglect to do so at the prescribed Period, he shall be liable to pay to Her Majesty a Sum equal to Ten Pounds *per Centum* upon the Amount of Duty payable by him, or in the Case of a Succession chargeable with a higher Rate of Duty than One Pound *per Centum* upon the Value thereof, upon such less Sum as such Duty, if assessable at the Rate of One Pound *per Centum* upon the Value of the Succession, would amount to, and a like Penalty for every Month after the first Month during which such Neglect shall continue; and if any Person liable under this Act to pay any Duty shall, after such Duty shall have been finally ascertained, wilfully neglect to do so within Twenty-one Days, he shall also be liable to pay to Her Majesty a Sum equal to Ten Pounds *per Centum* upon the Amount of Duty so unpaid, or upon such less Sum as such Duty, if assessable at the Rate of One Pound *per Centum* on the Value of the Succession, would amount to, and a like Penalty for every Month after the First Month during which such Neglect shall continue.

Penalty on
not giving
Notices of
Succession.

XLVII. If any accountable Party required by the Commissioners to deliver any such Account as aforesaid shall make default in doing so, it shall be lawful for the Commissioners to sue, out of Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland*, as they shall think expedient, according to the Circumstances of the Case, and for such Court to issue, a Writ of Summons in such Form as the Judges of such Court shall from Time to Time frame, commanding the Party so in default to deliver such Account within such Period as may be appointed in the Writ, or to show cause to the contrary, and on Cause being shown such Order shall be made as shall be just.

Proceeding if Return not made.

XLVIII. The Commissioners shall for the Purposes of the Legacy Duty Acts be empowered to require and enforce the Delivery of Accounts from Executors, Administrators, and Trustees of Property and Legatees chargeable with Duty under such Acts, and for the Duty whereon they shall be accountable, in the same Manner as they are by the last preceding

Power to enforce Returns from Executors and Administrators.

ceding Section of this Act empowered to require and enforce the Delivery of Accounts for the Purposes of this Act.

Account-
ing Party
to verify
his Ac-
count by
Produc-
tion of
Books and
Docu-
ments, and
Commis-
sioners
may, with-
out Fee,
inspect
and take
Copies of
public
Books.

Power for
account-
able Party
to appeal.

XLIX. Every Person who under the Provisions of this Act may deliver any Account or Estimate of the Property comprised in any Succession shall, if required by the Commissioners, produce before them such Books and Documents in the Custody or Control of such Person, so far as the same relate to such Account or Estimate, as may be capable of affording any necessary Information for the Purpose of ascertaining such Property and the Duty payable thereon; and the Commissioners may, without payment of any Fee, inspect and take Copies of any public Book; but all such Information shall be deemed to be confidential, and the Commissioners shall not disclose the same, or the Contents of any Document or Book, to any Person, otherwise than for the Purposes of this Act.

L. It shall be lawful for any accountable Party dissatisfied with the Assessment of the Commissioners, upon giving, within Twenty-one Days after the Date of such Assessment, Notice in Writing to the Commissioners of his Intention to appeal against such Assessment, and a Statement of the Grounds of such Appeal, such Statement to be furnished within the further Period of Thirty Days, to appeal by Petition accordingly to Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland*, according to the Place in which the Appellant shall be resident; and every such Court, or any Judge thereof sitting in Chambers, shall have Jurisdiction to hear and determine the Matter of such Appeal and the Costs thereof, with Power to direct, for the Purposes of such Appeal, any Inquiry, Valuation, or Report to be made by any Officer of the Court, or other Person, as such Court or Judge may think fit: Provided that where the Sum in dispute in respect of Duty on such Assessment does not exceed Fifty Pounds, the accountable Party may, having given Notice of Appeal and delivered a Statement of the Grounds thereof as herein-before directed, appeal to the Judge of the County Court in *England*, the Sheriff Court in *Scotland*, or the Assistant Barrister's Court in *Ireland*, for the District, County, or Division in which the Appellant shall be resident, or the Property be situate; and every such Judge shall have Jurisdiction to hear and determine the Matter of such last-mentioned Appeal, with the like Power and Authority as are by this Section given to a Judge of Her Majesty's Court of Exchequer.

Duty to be
entered by
the Com-
missioners
in a Book,

LI. Whenever any Payment of Duty shall be made under this Act, the same shall be entered in a Book to be kept by the Commissioners for this Purpose, and the Receiver General of Inland Revenue, or other proper Officer appointed by the Commissioners,

Commissioners, shall give a Receipt for the same in such Form as they shall think fit, and stamped with the proper Stamp for denoting the Rate of Duty, and the Commissioners shall from Time to Time deliver to any Person interested in any Property affected by such Duty, on applying for the same for any reasonable Purpose approved by the Commissioners, a Certificate, in such Form as they may think fit, of such Payment.

and a stamped Receipt to be given.

LII. Every Receipt and Certificate purporting to be in discharge of the whole Duty payable for the Time being in respect of any Succession or any Part thereof, shall exonerate a *bona fide* Purchaser for valuable Consideration, and without Notice, from such Duty, notwithstanding any Suppression or Mis-statement in the Account upon the Footing whereof the same may have been assessed, or any Insufficiency of such Assessment; and no *bona fide* Purchaser of Property for valuable Consideration under a Title not appearing to confer a Succession shall be subject to any Duty with which such Property may be chargeable under the Provisions of this Act, by reason of any extrinsic Circumstances of which he shall not have had Notice at the Time of such Purchase.

Protection to bona fide Purchasers.

LIII. Whenever any Suit shall be pending in any Court for the Administration of any Property chargeable with Duty under this Act or the Legacy Duty Acts, such Court shall provide, out of any Property which may be in the Possession or Control of the Court, for the Payment of Duty to the Commissioners.

Court in Suits for the administration of Property to provide for Payment of Duty.

LIV. This Act shall be taken to have come into operation on the Nineteenth Day of *May* One thousand eight hundred and fifty-three, and shall take effect accordingly.

Commencement of Act.

LV. This Act may be cited for all Purposes as "The Succession Duty Act, 1853."

Short Title.

The SCHEDULE to which this Act refers.

TABLE I.

The Values of an Annuity of £100 per Annum held on a Single Life.

Years of Age.	Values.			Years of Age.	Values.		
	£	s.	d.		£	s.	d.
Birth . . .	1,892	8	6	48 . . .	1,300	9	6
1 . . .	1,906	13	0	49 . . .	1,271	19	6
2 . . .	1,919	2	0	50 . . .	1,242	19	6
3 . . .	1,926	8	0	51 . . .	1,213	17	0
4 . . .	1,928	16	0	52 . . .	1,185	14	0
5 . . .	1,926	19	6	53 . . .	1,157	17	6
6 . . .	1,921	12	0	54 . . .	1,130	13	0
7 . . .	1,913	4	6	55 . . .	1,103	18	0
8 . . .	1,902	16	6	56 . . .	1,077	10	0
9 . . .	1,890	19	6	57 . . .	1,051	10	0
10 . . .	1,878	3	0	58 . . .	1,025	10	0
11 . . .	1,864	7	0	59 . . .	999	1	0
12 . . .	1,849	12	0	60 . . .	972	1	0
13 . . .	1,833	18	6	61 . . .	943	15	6
14 . . .	1,817	7	6	62 . . .	914	2	0
15 . . .	1,800	8	6	63 . . .	883	6	0
16 . . .	1,783	13	0	64 . . .	852	9	0
17 . . .	1,767	16	0	65 . . .	821	12	6
18 . . .	1,753	5	6	66 . . .	790	15	0
19 . . .	1,740	11	0	67 . . .	761	19	0
20 . . .	1,729	9	6	68 . . .	733	8	6
21 . . .	1,719	17	0	69 . . .	705	4	0
22 . . .	1,713	1	0	70 . . .	677	9	0
23 . . .	1,706	16	6	71 . . .	650	8	0
24 . . .	1,700	11	6	72 . . .	623	19	6
25 . . .	1,694	0	0	73 . . .	597	7	6
26 . . .	1,686	14	6	74 . . .	569	13	0
27 . . .	1,677	5	6	75 . . .	541	0	6
28 . . .	1,667	1	0	76 . . .	511	9	6
29 . . .	1,656	1	0	77 . . .	477	17	0
30 . . .	1,644	7	6	78 . . .	444	9	6
31 . . .	1,632	0	0	79 . . .	412	9	6
32 . . .	1,619	0	6	80 . . .	381	3	0
33 . . .	1,605	4	0	81 . . .	350	14	6
34 . . .	1,590	9	6	82 . . .	321	14	6
35 . . .	1,574	17	6	83 . . .	292	10	0
36 . . .	1,558	9	6	84 . . .	263	2	0
37 . . .	1,541	10	6	85 . . .	234	18	6
38 . . .	1,524	0	0	86 . . .	207	16	0
39 . . .	1,506	1	6	87 . . .	184	11	6
40 . . .	1,487	10	0	88 . . .	164	17	6
41 . . .	1,468	4	0	89 . . .	148	7	0
42 . . .	1,447	11	6	90 . . .	133	9	0
43 . . .	1,426	2	0	91 . . .	122	16	0
44 . . .	1,403	10	0	92 . . .	107	7	0
45 . . .	1,379	14	6	93 . . .	93	3	0
46 . . .	1,354	16	6	94 . . .	79	8	6
47 . . .	1,328	2	6	95 . . .	64	11	0

TABLE II.

The Values of an Annuity of £100 per Annum, held on the Joint Continuance of Two Lives.

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
95	95	23	13	0	95	56	62	3	6	95	17	63	16	6
95	94	26	9	6	95	55	62	6	6	95	16	63	18	6
95	93	28	18	6	95	54	62	9	6	95	15	64	0	0
95	92	31	8	0	95	53	62	12	6	95	14	64	1	0
95	91	33	19	0	95	52	62	15	6	95	13	64	1	6
95	90	34	16	0	95	51	62	18	6	95	12	64	1	6
95	89	37	1	6	95	50	63	2	0	95	11	64	1	6
95	88	39	4	6	95	49	63	4	0	95	10	64	1	6
95	87	41	13	0	95	48	63	5	6	95	9	64	1	0
95	86	44	4	0	95	47	63	6	6	95	8	64	0	6
95	85	46	16	0	95	46	63	7	6	95	7	64	0	0
95	84	48	15	6	95	45	63	7	0	95	6	63	18	6
95	83	50	9	6	95	44	63	7	0	95	5	63	16	6
95	82	51	15	6	95	43	63	7	6	95	4	63	14	0
95	81	52	16	6	95	42	63	7	6	95	3	63	10	6
95	80	53	19	6	95	41	63	7	6	95	2	63	6	0
95	79	55	0	0	95	40	63	7	6	95	1	63	1	0
95	78	55	18	0	95	39	63	7	6	95	0	62	18	0
95	77	56	16	0	95	38	63	8	0					
95	76	57	10	0	95	37	63	8	6					
95	75	57	13	0	95	36	63	9	0	94	94	29	19	0
95	74	57	18	6	95	35	63	9	0	94	93	32	19	0
95	73	58	4	6	95	34	63	9	6	94	92	35	19	0
95	72	58	9	6	95	33	63	9	0	94	91	39	1	0
95	71	58	15	6	95	32	63	9	0	94	90	40	5	6
95	70	59	10	0	95	31	63	9	0	94	89	43	0	0
95	69	59	10	6	95	30	63	9	0	94	88	45	13	6
95	68	59	17	6	95	29	63	9	0	94	87	48	14	0
95	67	60	3	6	95	28	63	9	0	94	86	51	18	6
95	66	60	9	6	95	27	63	8	6	94	85	55	5	0
95	65	60	17	6	95	26	63	8	6	94	84	57	17	6
95	64	61	3	0	95	25	63	7	0	94	83	60	3	0
95	63	61	7	6	95	24	63	6	6	94	82	61	18	0
95	62	61	12	0	95	23	63	6	6	94	81	63	7	0
95	61	61	14	6	95	22	63	6	6	94	80	64	17	6
95	60	61	15	6	95	21	63	7	0	94	79	66	5	0
95	59	61	17	0	95	20	63	9	6	94	78	67	9	6
95	58	61	18	6	95	19	63	12	0	94	77	68	13	6
95	57	62	1	0	95	18	63	14	0	94	76	69	13	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
94	75	69	19	0	94	31	77	18	0	93	83	68	13	6
94	74	70	6	6	94	30	77	18	0	93	82	70	17	6
94	73	70	14	6	94	29	77	18	0	93	81	72	14	0
94	72	71	1	6	94	28	77	17	6	93	80	74	12	0
94	71	71	9	6	94	27	77	17	6	93	79	76	6	6
94	70	71	19	0	94	26	77	17	0	93	78	77	17	0
94	69	72	9	0	94	25	77	15	6	93	77	79	7	6
94	68	72	18	6	94	24	77	14	6	93	76	80	12	6
94	67	73	7	6	94	23	77	14	6	93	75	81	1	0
94	66	73	15	6	94	22	77	14	6	93	74	81	11	0
94	65	74	6	0	94	21	77	15	6	93	73	82	1	0
94	64	74	14	0	94	20	77	18	6	93	72	82	9	6
94	63	75	0	6	94	19	78	1	6	93	71	82	19	6
94	62	75	6	0	94	18	78	4	6	93	70	83	11	6
94	61	75	10	0	94	17	78	7	6	93	69	84	4	6
94	60	75	12	0	94	16	78	10	6	93	68	84	16	6
94	59	75	13	6	94	15	78	13	0	93	67	85	7	6
94	58	75	16	0	94	14	78	14	6	93	66	85	17	6
94	57	75	19	0	94	13	78	15	6	93	65	86	11	0
94	56	76	2	0	94	12	78	15	6	93	64	87	1	0
94	55	76	6	0	94	11	78	15	6	93	63	87	9	6
94	54	76	10	6	94	10	78	15	0	93	62	87	17	0
94	53	76	14	6	94	9	78	14	6	93	61	88	2	0
94	52	76	19	0	94	8	78	14	0	93	60	88	5	0
94	51	77	3	0	94	7	78	13	0	93	59	88	7	0
94	50	77	7	6	94	6	78	11	6	93	58	88	10	0
94	49	77	10	6	94	5	78	8	6	93	57	88	13	6
94	48	77	13	0	94	4	78	5	0	93	56	88	18	0
94	47	77	14	6	94	3	78	0	6	93	55	89	3	0
94	46	77	15	6	94	2	77	14	6	93	54	89	8	0
94	45	77	15	6	94	1	77	8	0	93	53	89	13	6
94	44	77	15	6	94	0	77	4	0	93	52	89	19	0
94	43	77	15	6						93	51	90	4	0
94	42	77	15	6						93	50	90	10	0
94	41	77	16	0	93	93	36	8	6	93	49	90	14	0
94	40	77	16	0	93	92	39	18	0	93	48	90	17	6
94	39	77	16	0	93	91	43	9	6	93	47	90	19	6
94	38	77	16	6	93	90	44	19	6	93	46	91	1	0
94	37	77	17	0	93	89	48	2	6	93	45	91	1	0
94	36	77	17	6	93	88	51	5	0	93	44	91	1	0
94	35	77	18	0	93	87	54	16	0	93	43	91	1	0
94	34	77	18	6	93	86	58	12	6	93	42	91	1	0
94	33	77	18	6	93	85	62	12	0	93	41	91	1	6
94	32	77	18	0	93	84	65	17	0	93	40	91	1	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
93	39	91	1	6	92	90	49	13	6	92	46	104	14	0
93	38	91	2	0	92	89	53	5	0	92	45	104	14	6
93	37	91	3	0	92	88	56	16	6	92	44	104	14	6
93	36	91	3	6	92	87	60	18	6	92	43	104	14	6
93	35	91	4	0	92	86	65	6	6	92	42	104	15	0
93	34	91	4	6	92	85	69	19	6	92	41	104	15	0
93	33	91	4	6	92	84	73	16	6	92	40	104	15	0
93	32	91	4	0	92	83	77	4	0	92	39	104	15	6
93	31	91	4	0	92	82	79	18	0	92	38	104	16	0
93	30	91	4	0	92	81	82	2	6	92	37	104	17	0
93	29	91	4	0	92	80	84	8	0	92	36	104	17	6
93	28	91	3	6	92	79	86	10	0	92	35	104	18	6
93	27	91	3	6	92	78	88	7	6	92	34	104	19	0
93	26	91	3	0	92	77	90	4	6	92	33	104	19	0
93	25	91	1	0	92	76	91	15	0	92	32	104	18	6
93	24	91	0	0	92	75	92	7	0	92	31	104	18	6
93	23	90	19	6	92	74	93	0	0	92	30	104	18	6
93	22	90	19	6	92	73	93	12	0	92	29	104	18	0
93	21	91	0	6	92	72	94	3	0	92	28	104	18	0
93	20	91	4	6	92	71	94	15	0	92	27	104	17	6
93	19	91	8	0	92	70	95	9	6	92	26	104	17	0
93	18	91	12	0	92	69	96	5	0	92	25	104	15	0
93	17	91	16	0	92	68	96	19	6	92	24	104	13	6
93	16	91	19	6	92	67	97	13	0	92	23	104	13	0
93	15	92	3	0	92	66	98	6	0	92	22	104	13	0
93	14	92	5	0	92	65	99	2	0	92	21	104	14	0
93	13	92	6	0	92	64	99	14	6	92	20	104	18	6
93	12	92	6	6	92	63	100	5	0	92	19	105	3	0
93	11	92	6	0	92	62	100	14	6	92	18	105	7	6
93	10	92	6	0	92	61	101	1	0	92	17	105	12	6
93	9	92	5	6	92	60	101	5	0	92	16	105	17	0
93	8	92	4	6	92	59	101	8	0	92	15	106	1	0
93	7	92	3	6	92	58	101	11	6	92	14	106	4	0
93	6	92	1	6	92	57	101	16	0	92	13	106	5	6
93	5	91	18	0	92	56	102	1	0	92	12	106	6	0
93	4	91	13	6	92	55	102	7	0	92	11	106	6	0
93	3	91	8	0	92	54	102	13	6	92	10	106	5	6
93	2	91	0	6	92	53	103	0	0	92	9	106	5	0
93	1	90	12	6	92	52	103	6	6	92	8	106	4	0
93	0	90	7	0	92	51	103	13	0	92	7	106	2	6
					92	50	104	0	0	92	6	106	0	6
					92	49	104	5	6	92	5	105	16	6
92	92	43	16	6	92	48	104	9	6	92	4	105	11	0
92	91	47	17	6	92	47	104	12	6	92	3	105	4	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
92	2	104	15	0	91	52	117	17	6	91	8	121	8	6
92	1	104	5	0	91	51	118	5	0	91	7	121	6	6
92	0	103	18	0	91	50	118	13	6	91	6	121	4	0
					91	49	119	0	6	91	5	120	19	0
					91	48	119	5	6	91	4	120	12	6
91	91	52	9	6	91	47	119	9	0	91	3	120	4	6
91	90	54	11	0	91	46	119	11	6	91	2	119	14	0
91	89	58	11	6	91	45	119	12	0	91	1	119	2	0
91	88	62	13	6	91	44	119	12	0	91	0	118	13	0
91	87	67	6	6	91	43	119	12	6					
91	86	72	7	6	91	42	119	12	6					
91	85	77	14	6	91	41	119	13	0	90	90	56	17	6
91	84	82	5	0	91	40	119	12	6	90	89	61	3	6
91	83	86	5	0	91	39	119	13	0	90	88	65	11	6
91	82	89	9	6	91	38	119	13	6	90	87	70	12	0
91	81	92	3	0	91	37	119	15	0	90	86	76	2	0
91	80	94	17	6	91	36	119	16	0	90	85	81	19	0
91	79	97	7	6	91	35	119	17	0	90	84	86	19	6
91	78	99	12	6	91	34	119	17	6	90	83	91	9	0
91	77	101	17	0	91	33	119	17	6	90	82	95	2	0
91	76	103	14	0	91	32	119	17	0	90	81	98	3	0
91	75	104	10	0	91	31	119	17	0	90	80	101	4	6
91	74	105	6	0	91	30	119	17	0	90	79	104	1	0
91	73	106	1	0	91	29	119	16	6	90	78	106	12	6
91	72	106	14	0	91	28	119	16	6	90	77	109	3	0
91	71	107	8	6	91	27	119	16	0	90	76	111	5	6
91	70	108	6	0	91	26	119	15	6	90	75	112	5	6
91	69	109	4	6	91	25	119	13	0	90	74	113	4	0
91	68	110	2	0	91	24	119	11	0	90	73	114	1	6
91	67	110	18	6	91	23	119	10	0	90	72	114	17	0
91	66	111	14	0	91	22	119	10	0	90	71	115	13	6
91	65	112	13	0	91	21	119	11	6	90	70	116	13	0
91	64	113	8	6	91	20	119	16	6	90	69	117	14	0
91	63	114	2	0	91	19	120	2	0	90	68	118	14	0
91	62	114	13	6	91	18	120	7	6	90	67	119	13	0
91	61	115	1	6	91	17	120	13	6	90	66	120	10	6
91	60	115	6	6	91	16	120	19	0	90	65	121	12	6
91	59	115	10	6	91	15	121	4	0	90	64	122	10	6
91	58	115	15	0	91	14	121	7	6	90	63	123	6	0
91	57	116	0	0	91	13	121	9	6	90	62	123	19	6
91	56	116	6	0	91	12	121	10	6	90	61	124	9	0
91	55	116	13	6	91	11	121	10	6	90	60	124	15	6
91	54	117	1	0	91	10	121	10	0	90	59	125	0	0
91	53	117	9	0	91	9	121	9	0	90	58	125	5	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
90	57	125	11	0	90	13	131	18	0	89	61	137	15	6
90	56	125	18	0	90	12	131	19	0	89	60	138	3	0
90	55	126	6	6	90	11	131	19	0	89	59	138	8	6
90	54	126	15	0	90	10	131	18	6	89	58	138	15	0
90	53	127	4	0	90	9	131	18	0	89	57	139	2	0
90	52	127	13	6	90	8	131	17	0	89	56	139	10	0
90	51	128	2	6	90	7	131	15	0	89	55	139	19	6
90	50	128	12	6	90	6	131	12	0	89	54	140	9	6
90	49	129	0	6	90	5	131	6	6	89	53	141	0	0
90	48	129	6	6	90	4	130	19	6	89	52	141	11	0
90	47	129	10	6	90	3	130	10	0	89	51	142	1	6
90	46	129	13	6	90	2	129	18	0	89	50	142	13	0
90	45	129	14	0	90	1	129	4	6	89	49	143	2	0
90	44	129	14	6	90	0	128	14	0	89	48	143	9	6
90	43	129	15	0						89	47	143	14	6
90	42	129	15	0						89	46	143	18	6
90	41	129	15	6	89	89	65	18	0	89	45	143	19	6
90	40	129	15	6	89	88	70	14	6	89	44	144	0	0
90	39	129	16	0	89	87	76	5	0	89	43	144	0	6
90	38	129	16	6	89	86	82	6	6	89	42	144	0	6
90	37	129	18	0	89	85	88	16	6	89	41	144	1	6
90	36	129	19	0	89	84	94	9	6	89	40	144	1	0
90	35	130	0	0	89	83	99	10	6	89	39	144	1	6
90	34	130	1	0	89	82	103	14	6	89	38	144	2	6
90	33	130	1	0	89	81	107	4	6	89	37	144	3	6
90	32	130	0	6	89	80	110	15	0	89	36	144	5	0
90	31	130	0	6	89	79	114	0	0	89	35	144	6	6
90	30	130	0	0	89	78	116	19	6	89	34	144	7	0
90	29	130	0	0	89	77	119	17	0	89	33	144	7	6
90	28	130	0	0	89	76	122	7	0	89	32	144	7	0
90	27	129	19	6	89	75	123	11	0	89	31	144	7	0
90	26	129	19	0	89	74	124	13	6	89	30	144	6	6
90	25	129	16	0	89	73	125	14	0	89	29	144	6	6
90	24	129	14	0	89	72	126	12	0	89	28	144	6	0
90	23	129	13	0	89	71	127	11	6	89	27	144	5	6
90	22	129	12	6	89	70	128	13	6	89	26	144	5	0
90	21	129	14	0	89	69	129	17	6	89	25	144	1	6
90	20	129	19	6	89	68	131	1	0	89	24	143	19	6
90	19	130	5	6	89	67	132	3	0	89	23	143	18	0
90	18	130	12	0	89	66	133	3	6	89	22	143	18	0
90	17	130	19	0	89	65	134	9	0	89	21	143	19	6
90	16	131	5	6	89	64	135	10	0	89	20	144	5	6
90	15	131	11	0	89	63	136	8	0	89	19	144	12	6
90	14	131	15	6	89	62	137	4	0	89	18	144	19	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
89	17	145	7	6	88	64	149	14	6	88	20	160	1	6
89	16	145	15	0	88	63	150	15	6	88	19	160	9	6
89	15	146	2	0	88	62	151	14	6	88	18	160	17	6
89	14	146	7	0	88	61	152	8	6	88	17	161	7	0
89	13	146	10	6	88	60	152	17	6	88	16	161	15	6
89	12	146	11	6	88	59	153	4	6	88	15	162	3	6
89	11	146	12	0	88	58	153	12	0	88	14	162	10	0
89	10	146	11	6	88	57	154	0	0	88	13	162	14	0
89	9	146	10	6	88	56	154	9	6	88	12	162	15	6
89	8	146	9	6	88	55	155	0	6	88	11	162	16	0
89	7	146	7	6	88	54	155	12	0	88	10	162	16	0
89	6	146	4	0	88	53	156	4	6	88	9	162	15	0
89	5	145	18	0	88	52	156	17	0	88	8	162	13	6
89	4	145	10	0	88	51	157	9	0	88	7	162	11	6
89	3	144	19	0	88	50	158	2	6	88	6	162	7	6
89	2	144	5	6	88	49	158	13	6	88	5	162	0	6
89	1	143	10	0	88	48	159	2	0	88	4	161	11	0
89	0	142	17	6	88	47	159	8	6	88	3	160	19	0
					88	46	159	13	0	88	2	160	3	6
					88	45	159	14	6	88	1	159	5	6
88	88	76	1	0	88	44	159	15	6	88	0	158	11	0
88	87	82	2	6	88	43	159	16	0					
88	86	88	17	6	88	42	159	16	6					
88	85	96	1	6	88	41	159	17	0	87	87	88	18	0
88	84	102	8	6	88	40	159	17	0	87	86	96	7	6
88	83	108	3	0	88	39	159	17	6	87	85	104	9	0
88	82	112	18	6	88	38	159	18	0	87	84	111	12	6
88	81	116	19	6	88	37	160	0	0	87	83	118	3	0
88	80	121	0	0	88	36	160	1	6	87	82	123	13	0
88	79	124	14	6	88	35	160	3	0	87	81	128	6	6
88	78	128	3	0	88	34	160	4	0	87	80	132	19	6
88	77	131	9	6	88	33	160	4	0	87	79	137	5	6
88	76	134	7	6	88	32	160	4	0	87	78	141	5	0
88	75	135	16	6	88	31	160	3	6	87	77	145	2	0
88	74	137	3	6	88	30	160	3	6	87	76	148	9	6
88	73	138	7	6	88	29	160	3	0	87	75	150	5	6
88	72	139	8	6	88	28	160	3	0	87	74	151	17	6
88	71	140	11	0	88	27	160	2	6	87	73	153	6	6
88	70	141	17	0	88	26	160	1	6	87	72	154	11	6
88	69	143	4	6	88	25	159	18	0	87	71	155	17	6
88	68	144	11	6	88	24	159	15	0	87	70	157	7	6
88	67	145	17	0	88	23	159	13	6	87	69	158	19	6
88	66	147	1	0	88	22	159	13	6	87	68	160	11	0
88	65	148	10	0	88	21	159	15	0	87	67	162	0	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
87	66	163	9	0	87	22	178	8	6	86	67	180	18	0
87	65	165	2	6	87	21	178	10	0	86	66	182	11	6
87	64	166	11	6	87	20	178	17	6	86	65	184	11	0
87	63	167	16	6	87	19	179	6	6	86	64	186	5	0
87	62	168	19	0	87	18	179	16	0	86	63	187	15	0
87	61	169	15	6	87	17	180	7	0	86	62	189	1	6
87	60	170	7	0	87	16	180	17	0	86	61	190	2	0
87	59	170	15	6	87	15	181	6	6	86	60	190	16	0
87	58	171	4	6	87	14	181	14	0	86	59	191	6	6
87	57	171	14	0	87	13	181	19	0	86	58	191	17	6
87	56	172	5	0	87	12	182	1	6	86	57	192	9	0
87	55	172	17	6	87	11	182	2	0	86	56	193	1	6
87	54	173	11	6	87	10	182	2	0	86	55	193	16	6
87	53	174	5	6	87	9	182	1	0	86	54	194	12	6
87	52	175	0	6	87	8	181	19	6	86	53	195	9	6
87	51	175	14	6	87	7	181	17	0	86	52	196	7	0
87	50	176	10	0	87	6	181	12	6	86	51	197	4	0
87	49	177	3	6	87	5	181	4	6	86	50	198	2	0
87	48	177	13	6	87	4	180	14	0	86	49	198	18	0
87	47	178	1	6	87	3	179	19	6	86	48	199	10	6
87	46	178	7	0	87	2	179	1	6	86	47	200	0	0
87	45	178	9	0	87	1	178	1	0	86	46	200	7	0
87	44	178	10	6	87	0	177	4	0	86	45	200	9	6
87	43	178	11	0						86	44	200	11	6
87	42	178	11	6						86	43	200	12	6
87	41	178	12	6	86	86	104	15	0	86	42	200	13	6
87	40	178	12	6	86	85	113	16	6	86	41	200	14	6
87	39	178	13	0	86	84	121	19	6	86	40	200	14	0
87	38	178	14	0	86	83	129	9	0	86	39	200	15	0
87	37	178	15	6	86	82	135	16	0	86	38	200	16	0
87	36	178	17	6	86	81	141	5	0	86	37	200	18	0
87	35	178	19	6	86	80	146	12	6	86	36	201	0	6
87	34	179	0	6	86	79	151	13	6	86	35	201	2	6
87	33	179	1	0	86	78	156	6	0	86	34	201	3	6
87	32	179	0	6	86	77	160	16	0	86	33	201	4	6
87	31	179	0	6	86	76	164	15	6	86	32	201	4	0
87	30	179	0	0	86	75	166	19	0	86	31	201	3	6
87	29	179	0	0	86	74	168	18	0	86	30	201	3	6
87	28	178	19	6	86	73	170	12	6	86	29	201	3	0
87	27	178	19	0	86	72	172	2	6	86	28	201	3	0
87	26	178	18	0	86	71	173	13	6	86	27	201	2	0
87	25	178	13	6	86	70	175	8	6	86	26	201	1	0
87	24	178	10	6	86	69	177	6	0	86	25	200	16	6
87	23	178	8	6	86	68	179	3	0	86	24	200	12	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
86	23	200	10	6	85	67	202	11	6	85	23	226	4	0
86	22	200	9	6	85	66	204	11	0	85	22	226	3	6
86	21	200	11	6	85	65	206	17	6	85	21	226	5	0
86	20	201	0	0	85	64	208	18	6	85	20	226	15	0
86	19	201	10	0	85	63	210	14	6	85	19	227	6	6
86	18	202	1	6	85	62	212	6	6	85	18	227	19	6
86	17	202	14	0	85	61	213	11	0	85	17	228	14	6
86	16	203	6	0	85	60	214	9	0	85	16	229	9	0
86	15	203	17	6	85	59	215	2	6	85	15	230	2	6
86	14	204	6	6	85	58	215	15	6	85	14	230	13	6
86	13	204	12	6	85	57	216	9	0	85	13	231	1	0
86	12	204	15	6	85	56	217	4	6	85	12	231	5	6
86	11	204	17	0	85	55	218	2	0	85	11	231	7	0
86	10	204	17	0	85	54	219	1	0	85	10	231	7	6
86	9	204	16	0	85	53	220	1	0	85	9	231	6	6
86	8	204	14	6	85	52	221	1	6	85	8	231	4	6
86	7	204	11	6	85	51	222	2	0	85	7	231	1	0
86	6	204	6	0	85	50	223	3	6	85	6	230	15	0
86	5	203	17	6	85	49	224	2	6	85	5	230	5	0
86	4	203	4	6	85	48	224	18	0	85	4	229	10	6
86	3	202	8	0	85	47	225	9	6	85	3	228	11	0
86	2	201	7	6	85	46	225	18	0	85	2	227	7	0
86	1	200	3	0	85	45	226	2	0	85	1	225	18	0
86	0	199	2	6	85	44	226	4	6	85	0	224	14	0
					85	43	226	6	0					
					85	42	226	7	0					
85	85	124	1	0	85	41	226	8	6	84	84	143	16	0
85	84	133	6	6	85	40	226	8	6	84	83	153	11	0
85	83	141	18	6	85	39	226	9	0	84	82	162	0	6
85	82	149	6	0	85	38	226	10	6	84	81	169	7	6
85	81	155	13	6	85	37	226	13	0	84	80	176	12	6
85	80	161	19	0	85	36	226	15	6	84	79	183	9	0
85	79	167	16	6	85	35	226	18	0	84	78	189	15	6
85	78	173	5	6	85	34	226	19	6	84	77	195	18	6
85	77	178	11	0	85	33	227	0	6	84	76	201	8	6
85	76	183	5	0	85	32	227	0	6	84	75	204	14	6
85	75	185	19	0	85	31	227	0	0	84	74	207	12	0
85	74	188	6	6	85	30	226	19	6	84	73	210	2	6
85	73	190	8	0	85	29	226	19	6	84	72	212	6	0
85	72	192	4	6	85	28	226	19	0	84	71	214	9	6
85	71	194	1	6	85	27	226	18	0	84	70	216	17	6
85	70	196	2	6	85	26	226	16	6	84	69	219	9	0
85	69	198	6	6	85	25	226	11	6	84	68	222	0	0
85	68	200	10	0	85	24	226	7	0	84	67	224	9	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
84	66	226	15	6	84	22	252	13	6	83	64	255	6	6
84	65	229	10	0	84	21	252	15	6	83	63	257	17	0
84	64	231	18	0	84	20	253	6	0	83	62	260	3	0
84	63	234	1	0	84	19	253	19	6	83	61	261	19	0
84	62	235	19	6	84	18	254	14	6	83	60	263	6	0
84	61	237	9	6	84	17	255	12	0	83	59	264	6	6
84	60	238	11	6	84	16	256	9	0	83	58	265	6	0
84	59	239	8	0	84	15	257	5	0	83	57	266	5	6
84	58	240	4	0	84	14	257	18	6	83	56	267	6	6
84	57	241	0	6	84	13	258	8	0	83	55	268	11	0
84	56	241	18	6	84	12	258	13	6	83	54	269	16	6
84	55	242	19	6	84	11	258	16	0	83	53	271	4	0
84	54	244	1	6	84	10	258	16	6	83	52	272	12	6
84	53	245	5	0	84	9	258	16	0	83	51	274	0	6
84	52	246	9	6	84	8	258	14	0	83	50	275	11	0
84	51	247	13	0	84	7	258	10	0	83	49	276	17	6
84	50	248	19	0	84	6	258	3	0	83	48	277	19	6
84	49	250	1	6	84	5	257	11	6	83	47	278	17	0
84	48	251	0	0	84	4	256	14	6	83	46	279	10	6
84	47	251	14	6	84	3	255	12	6	83	45	279	17	6
84	46	252	5	0	84	2	254	4	0	83	44	280	2	0
84	45	252	10	6	84	1	252	10	6	83	43	280	5	0
84	44	252	14	0	84	0	251	2	0	83	42	280	7	0
84	43	252	16	0						83	41	280	9	0
84	42	252	17	6						83	40	280	9	6
84	41	252	19	0	83	83	164	10	0	83	39	280	10	6
84	40	252	19	0	83	82	174	2	6	83	38	280	12	0
84	39	253	0	0	83	81	182	11	0	83	37	280	15	6
84	38	253	1	6	83	80	190	16	6	83	36	280	18	6
84	37	253	4	6	83	79	198	13	0	83	35	281	2	0
84	36	253	7	6	83	78	205	19	0	83	34	281	4	6
84	35	253	10	0	83	77	213	1	0	83	33	281	6	0
84	34	253	12	0	83	76	219	9	0	83	32	281	6	0
84	33	253	13	0	83	75	223	8	6	83	31	281	5	6
84	32	253	13	6	83	74	226	17	6	83	30	281	5	6
84	31	253	13	0	83	73	229	17	6	83	29	281	5	0
84	30	253	12	6	83	72	232	9	0	83	28	281	4	6
84	29	253	12	0	83	71	235	0	6	83	27	281	3	6
84	28	253	11	6	83	70	237	16	6	83	26	281	1	6
84	27	253	10	6	83	69	240	16	0	83	25	280	15	0
84	26	253	9	6	83	68	243	15	0	83	24	280	9	0
84	25	253	3	0	83	67	246	12	6	83	23	280	5	0
84	24	252	18	0	83	66	249	7	0	83	22	280	3	6
84	23	252	14	6	83	65	252	10	0	83	21	280	5	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
83	20	280	17	0	82	61	285	14	6	82	17	311	0	6
83	19	281	12	0	82	60	287	7	0	82	16	312	3	6
83	18	282	9	6	82	59	288	12	0	82	15	313	5	6
83	17	283	9	6	82	58	289	16	0	82	14	314	4	0
83	16	284	9	6	82	57	290	19	0	82	13	314	18	0
83	15	285	8	6	82	56	292	3	6	82	12	315	7	0
83	14	286	4	0	82	55	293	11	6	82	11	315	12	0
83	13	286	16	0	82	54	295	1	0	82	10	315	14	0
83	12	287	3	0	82	53	296	12	6	82	9	315	14	0
83	11	287	6	6	82	52	298	5	6	82	8	315	12	0
83	10	287	8	0	82	51	299	18	0	82	7	315	7	6
83	9	287	7	0	82	50	301	13	0	82	6	314	19	0
83	8	287	5	6	82	49	303	4	6	82	5	314	4	0
83	7	287	1	0	82	48	304	10	6	82	4	313	2	6
83	6	286	13	6	82	47	305	11	6	82	3	311	13	6
83	5	286	0	0	82	46	306	8	0	82	2	309	16	6
83	4	285	1	0	82	45	306	17	0	82	1	307	12	6
83	3	283	15	6	82	44	307	3	0	82	0	305	13	6
83	2	282	3	0	82	43	307	7	0					
83	1	280	4	0	82	42	307	9	6					
83	0	278	10	6	82	41	307	12	0	81	81	204	17	6
					82	40	307	13	0	81	80	215	5	6
					82	39	307	14	0	81	79	225	3	6
82	82	184	16	6	82	38	307	16	0	81	78	234	9	0
82	81	194	6	6	82	37	307	19	6	81	77	243	10	6
82	80	203	13	6	82	36	308	3	6	81	76	251	16	0
82	79	212	11	0	82	35	308	7	6	81	75	257	6	0
82	78	220	16	6	82	34	308	10	6	81	74	262	1	0
82	77	228	18	0	82	33	308	12	0	81	73	266	4	0
82	76	236	4	6	82	32	308	12	6	81	72	269	15	0
82	75	240	18	6	82	31	308	12	0	81	71	273	4	6
82	74	245	0	6	82	30	308	12	0	81	70	276	18	0
82	73	248	11	6	82	29	308	11	6	81	69	280	14	6
82	72	251	12	6	82	28	308	10	6	81	68	284	11	6
82	71	254	12	6	82	27	308	9	6	81	67	288	6	6
82	70	257	16	6	82	26	308	7	6	81	66	291	18	6
82	69	261	4	6	82	25	308	0	0	81	65	296	1	0
82	68	264	12	6	82	24	307	13	6	81	64	299	15	0
82	67	267	18	6	82	23	307	9	0	81	63	303	3	0
82	66	271	1	6	82	22	307	6	6	81	62	306	5	6
82	65	274	14	0	82	21	307	8	6	81	61	308	15	6
82	64	277	19	0	82	20	308	1	6	81	60	310	14	0
82	63	280	18	0	82	19	308	18	0	81	59	312	4	6
82	62	283	12	0	82	18	309	17	6	81	58	313	12	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
81	57	314	19	6	81	13	342	13	6	80	52	349	8	0
81	56	316	8	0	81	12	343	4	6	80	51	351	10	6
81	55	318	0	0	81	11	343	11	0	80	50	353	16	0
81	54	319	14	0	81	10	343	14	0	80	49	355	17	6
81	53	321	9	6	81	9	343	14	0	80	48	357	13	0
81	52	323	7	6	81	8	343	12	6	80	47	359	2	0
81	51	325	4	6	81	7	343	7	6	80	46	360	5	6
81	50	327	4	6	81	6	342	18	0	80	45	360	19	6
81	49	329	0	6	81	5	342	2	0	80	44	361	9	6
81	48	330	11	6	81	4	340	18	0	80	43	361	16	6
81	47	331	16	0	81	3	339	5	6	80	42	362	1	6
81	46	332	16	0	81	2	337	4	6	80	41	362	5	6
81	45	333	7	0	81	1	334	14	6	80	40	362	7	0
81	44	333	15	0	81	0	332	10	0	80	39	362	9	0
81	43	334	0	6						80	38	362	12	0
81	42	334	4	0						80	37	362	16	0
81	41	334	7	0	80	80	226	15	0	80	36	363	1	0
81	40	334	8	0	80	79	237	14	0	80	35	363	6	0
81	39	334	9	6	80	78	248	0	6	80	34	363	10	0
81	38	334	12	0	80	77	258	3	0	80	33	363	12	0
81	37	334	16	0	80	76	267	8	6	80	32	363	13	0
81	36	335	0	6	80	75	273	15	0	80	31	363	13	0
81	35	335	5	0	80	74	279	5	0	80	30	363	13	0
81	34	335	8	0	80	73	284	1	0	80	29	363	12	6
81	33	335	10	0	80	72	288	3	6	80	28	363	12	0
81	32	335	11	0	80	71	292	3	0	80	27	363	10	6
81	31	335	10	6	80	70	296	6	6	80	26	363	8	0
81	30	335	10	6	80	69	300	13	0	80	25	362	19	0
81	29	335	10	0	80	68	305	0	0	80	24	362	11	0
81	28	335	9	6	80	67	309	4	6	80	23	362	5	0
81	27	335	8	0	80	66	313	6	0	80	22	362	1	6
81	26	335	6	0	80	65	317	18	6	80	21	362	3	0
81	25	334	17	6	80	64	322	3	0	80	20	362	18	0
81	24	334	10	6	80	63	326	1	0	80	19	363	17	6
81	23	334	5	0	80	62	329	12	6	80	18	365	2	0
81	22	334	2	0	80	61	332	10	6	80	17	366	10	0
81	21	334	4	0	80	60	334	16	0	80	16	367	19	6
81	20	334	17	6	80	59	336	12	0	80	15	369	8	6
81	19	335	16	0	80	58	338	5	6	80	14	370	13	6
81	18	336	18	0	80	57	339	17	0	80	13	371	13	0
81	17	338	3	0	80	56	341	10	0	80	12	372	6	6
81	16	339	9	6	80	55	343	6	6	80	11	372	15	0
81	15	340	15	0	80	54	345	5	0	80	10	372	19	0
81	14	341	16	6	80	53	347	5	6	80	9	373	0	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
80	8	372	19	0	79	46	388	6	0	79	2	395	6	0
80	7	372	14	0	79	45	389	3	6	79	1	392	4	0
80	6	372	4	0	79	44	389	16	0	79	0	389	7	6
80	5	371	6	0	79	43	390	5	0					
80	4	369	19	6	79	42	390	11	0					
80	3	368	3	6	79	41	390	16	6	78	78	273	12	0
80	2	365	17	6	79	40	390	18	6	78	77	285	17	6
80	1	363	2	0	79	39	391	1	0	78	76	297	5	0
80	0	360	11	6	79	38	391	4	6	78	75	305	7	0
					79	37	391	9	6	78	74	312	9	6
					79	36	391	15	0	78	73	318	14	6
79	79	249	14	6	79	35	392	0	6	78	72	324	2	6
79	78	261	2	6	79	34	392	4	6	78	71	329	6	0
79	77	272	6	6	79	33	392	7	6	78	70	334	12	0
79	76	282	12	6	79	32	392	8	6	78	69	340	1	0
79	75	289	16	6	79	31	392	9	0	78	68	345	9	6
79	74	296	2	0	79	30	392	9	0	78	67	350	15	6
79	73	301	12	0	79	29	392	8	6	78	66	355	18	6
79	72	306	7	0	79	28	392	8	0	78	65	361	13	6
79	71	310	18	0	79	27	392	6	6	78	64	367	0	0
79	70	315	12	0	79	26	392	4	0	78	63	371	19	0
79	69	320	10	0	79	25	391	14	0	78	62	376	10	6
79	68	325	7	0	79	24	391	5	0	78	61	380	7	6
79	67	330	2	0	79	23	390	18	0	78	60	383	9	0
79	66	334	14	0	79	22	390	14	6	78	59	385	18	6
79	65	339	17	6	79	21	390	15	6	78	58	388	4	0
79	64	344	13	0	79	20	391	11	6	78	57	390	7	0
79	63	349	1	0	79	19	392	12	6	78	56	392	10	6
79	62	353	2	0	79	18	393	19	0	78	55	394	17	0
79	61	356	9	0	79	17	395	10	6	78	54	397	6	0
79	60	359	2	6	79	16	397	3	6	78	53	399	17	6
79	59	361	5	0	79	15	398	16	0	78	52	402	11	6
79	58	363	4	0	79	14	400	4	6	78	51	405	5	0
79	57	365	1	0	79	13	401	7	0	78	50	408	3	0
79	56	366	19	0	79	12	402	3	6	78	49	410	16	0
79	55	369	0	0	79	11	402	13	6	78	48	413	2	6
79	54	371	3	6	79	10	402	19	6	78	47	415	1	6
79	53	373	9	6	79	9	403	1	6	78	46	416	13	6
79	52	375	17	6	79	8	403	1	0	78	45	417	14	6
79	51	378	5	6	79	7	402	15	6	78	44	418	10	0
79	50	380	17	0	79	6	402	5	0	78	43	419	1	6
79	49	383	4	0	79	5	401	5	6	78	42	419	9	0
79	48	385	5	0	79	4	399	16	6	78	41	419	16	0
79	47	386	18	6	79	3	397	17	0	78	40	419	19	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
78	39	420	2	0	77	75	320	16	6	77	31	452	1	6
78	38	420	6	0	77	74	328	16	0	77	30	452	1	6
78	37	420	11	6	77	73	335	17	0	77	29	452	1	6
78	36	420	17	6	77	72	341	19	6	77	28	452	1	0
78	35	421	4	0	77	71	347	16	0	77	27	451	19	6
78	34	421	9	0	77	70	353	14	6	77	26	451	16	6
78	33	421	12	0	77	69	359	16	0	77	25	451	5	0
78	32	421	13	6	77	68	365	17	0	77	24	450	14	0
78	31	421	14	0	77	67	371	15	0	77	23	450	5	6
78	30	421	14	0	77	66	377	9	6	77	22	450	0	6
78	29	421	14	0	77	65	383	17	0	77	21	450	1	6
78	28	421	13	6	77	64	389	15	6	77	20	450	19	0
78	27	421	11	6	77	63	395	6	0	77	19	452	3	6
78	26	421	9	0	77	62	400	9	0	77	18	453	14	6
78	25	420	18	6	77	61	404	16	0	77	17	455	12	0
78	24	420	8	6	77	60	408	6	6	77	16	457	12	0
78	23	420	1	0	77	59	411	4	6	77	15	459	12	6
78	22	419	16	6	77	58	413	17	0	77	14	461	8	6
78	21	419	17	6	77	57	416	6	0	77	13	462	18	6
78	20	420	14	0	77	56	418	16	0	77	12	464	0	6
78	19	421	17	0	77	55	421	9	0	77	11	464	16	0
78	18	423	6	0	77	54	424	4	0	77	10	465	5	6
78	17	425	0	0	77	53	427	1	6	77	9	465	10	6
78	16	426	16	6	77	52	430	1	6	77	8	465	11	6
78	15	428	12	6	77	51	433	2	0	77	7	465	6	6
78	14	430	5	0	77	50	436	6	0	77	6	464	15	0
78	13	431	11	6	77	49	439	5	6	77	5	463	12	6
78	12	432	10	6	77	48	441	18	6	77	4	461	18	0
78	11	433	3	0	77	47	444	3	6	77	3	459	11	0
78	10	433	10	6	77	46	446	0	0	77	2	456	10	0
78	9	433	14	0	77	45	447	5	0	77	1	452	15	0
78	8	433	14	0	77	44	448	4	0	77	0	449	4	6
78	7	433	9	0	77	43	448	18	0					
78	6	432	17	6	77	42	449	8	0					
78	5	431	16	6	77	41	449	16	6	76	76	325	6	6
78	4	430	5	0	77	40	450	0	6	76	75	335	7	0
78	3	428	2	0	77	39	450	4	6	76	74	344	5	0
78	2	425	5	6	77	38	450	9	6	76	73	352	2	6
78	1	421	17	6	77	37	450	16	0	76	72	359	0	0
78	0	418	14	0	77	36	451	2	6	76	71	365	10	0
					77	35	451	9	6	76	70	372	2	6
					77	34	451	15	0	76	69	378	17	6
77	77	299	5	6	77	33	451	19	0	76	68	385	11	0
77	76	311	15	0	77	32	452	0	6	76	67	392	1	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
76	66	398	8	0	76	22	480	5	6	75	56	466	12	0
76	65	405	8	0	76	21	480	6	0	75	55	469	18	6
76	64	411	19	6	76	20	481	4	6	75	54	473	6	6
76	63	418	2	6	76	19	482	10	6	75	53	476	17	0
76	62	423	17	0	76	18	484	4	0	75	52	480	10	6
76	61	428	15	0	76	17	486	4	6	75	51	484	4	0
76	60	432	15	6	76	16	488	8	6	75	50	488	2	0
76	59	436	1	6	76	15	490	12	6	75	49	491	15	0
76	58	439	2	0	76	14	492	12	6	75	48	495	1	0
76	57	441	18	6	76	13	494	6	6	75	47	497	17	6
76	56	444	15	0	76	12	495	12	0	75	46	500	5	6
76	55	447	14	6	76	11	496	10	0	75	45	501	19	6
76	54	450	16	0	76	10	497	2	0	75	44	503	6	0
76	53	454	0	6	76	9	497	8	6	75	43	504	6	6
76	52	457	7	0	76	8	497	11	0	75	42	505	1	6
76	51	460	14	0	76	7	497	7	0	75	41	505	14	0
76	50	464	5	6	76	6	496	14	6	75	40	506	1	0
76	49	467	12	0	76	5	495	11	0	75	39	506	7	6
76	48	470	11	6	76	4	493	14	0	75	38	506	14	6
76	47	473	2	0	76	3	491	3	0	75	37	507	2	6
76	46	475	4	6	76	2	487	16	6	75	36	507	11	0
76	45	476	13	6	76	1	483	15	0	75	35	507	19	6
76	44	477	16	6	76	0	479	17	6	75	34	508	6	6
76	43	478	13	6						75	33	508	11	6
76	42	479	6	0						75	32	508	14	6
76	41	479	16	0	75	75	346	5	6	75	31	508	15	6
76	40	480	1	6	75	74	356	0	0	75	30	508	16	6
76	39	480	7	0	75	73	364	13	0	75	29	508	17	0
76	38	480	12	6	75	72	372	5	0	75	28	508	16	0
76	37	481	0	0	75	71	379	8	6	75	27	508	14	6
76	36	481	7	6	75	70	386	14	0	75	26	508	11	6
76	35	481	15	0	75	69	394	1	0	75	25	507	18	6
76	34	482	1	6	75	68	401	7	0	75	24	507	6	0
76	33	482	6	0	75	67	408	9	6	75	23	506	16	0
76	32	482	8	0	75	66	415	7	6	75	22	506	9	6
76	31	482	9	0	75	65	423	0	0	75	21	506	10	0
76	30	482	9	6	75	64	430	3	0	75	20	507	9	0
76	29	482	10	0	75	63	436	17	6	75	19	508	16	6
76	28	482	9	0	75	62	443	4	0	75	18	510	12	0
76	27	482	7	6	75	61	448	12	0	75	17	512	15	6
76	26	482	4	6	75	60	453	2	0	75	16	515	2	6
76	25	481	12	0	75	59	456	17	0	75	15	517	10	0
76	24	481	0	6	75	58	460	5	0	75	14	519	14	0
76	23	480	11	0	75	57	463	9	0	75	13	521	11	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
75	12	523	0	6	74	45	526	3	0	74	1	536	17	6
75	11	524	1	6	74	44	527	14	0	74	0	532	7	0
75	10	524	16	0	74	43	528	17	6					
75	9	525	4	6	74	42	529	15	6					
75	8	525	8	0	74	41	530	10	6	73	73	386	2	0
75	7	525	4	6	74	40	531	0	0	73	72	395	2	0
75	6	524	12	6	74	39	531	8	0	73	71	403	12	0
75	5	523	7	6	74	38	531	16	0	73	70	412	3	0
75	4	521	9	0	74	37	532	5	6	73	69	420	15	6
75	3	518	14	6	74	36	532	15	0	73	68	429	5	6
75	2	515	3	0	74	35	533	4	0	73	67	437	11	6
75	1	510	15	0	74	34	533	12	0	73	66	445	13	6
75	0	506	11	0	74	33	533	17	6	73	65	454	10	0
					74	32	534	0	6	73	64	462	16	6
					74	31	534	2	0	73	63	470	14	0
74	74	366	10	6	74	30	534	3	6	73	62	478	3	0
74	73	375	19	0	74	29	534	4	0	73	61	484	12	0
74	72	384	5	0	74	28	534	3	6	73	60	490	1	6
74	71	392	2	0	74	27	534	2	0	73	59	494	14	0
74	70	400	0	0	74	26	533	18	6	73	58	498	18	6
74	69	408	0	0	74	25	533	5	0	73	57	502	17	6
74	68	415	18	6	74	24	532	12	0	73	56	506	15	6
74	67	423	12	6	74	23	532	1	0	73	55	510	15	6
74	66	431	2	6	74	22	531	14	0	73	54	514	17	6
74	65	439	7	0	74	21	531	14	0	73	53	519	1	6
74	64	447	2	0	74	20	532	14	0	73	52	523	8	6
74	63	454	8	0	74	19	534	2	6	73	51	527	15	6
74	62	461	5	6	74	18	536	0	0	73	50	532	7	6
74	61	467	4	6	74	17	538	6	0	73	49	536	14	0
74	60	472	4	0	74	16	540	16	0	73	48	540	13	0
74	59	476	7	6	74	15	543	7	6	73	47	544	1	6
74	58	480	4	0	74	14	545	15	6	73	46	547	0	6
74	57	483	15	0	74	13	547	16	6	73	45	549	4	6
74	56	487	5	6	74	12	549	8	6	73	44	550	19	6
74	55	490	18	6	74	11	550	12	6	73	43	552	7	0
74	54	494	13	6	74	10	551	9	6	73	42	553	8	0
74	53	498	11	0	74	9	552	0	0	73	41	554	6	0
74	52	502	11	0	74	8	552	5	0	73	40	554	17	6
74	51	506	11	0	74	7	552	3	0	73	39	555	7	0
74	50	510	16	0	74	6	551	11	0	73	38	555	16	6
74	49	514	16	0	74	5	550	5	6	73	37	556	7	6
74	48	518	8	0	74	4	548	4	6	73	36	556	18	0
74	47	521	11	0	74	3	545	7	6	73	35	557	8	6
74	46	524	4	0	74	2	541	11	0	73	34	557	17	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
73	33	558	3	0	72	64	477	5	6	72	20	580	1	6
73	32	558	7	0	72	63	485	14	0	72	19	581	12	6
73	31	558	9	0	72	62	493	14	0	72	18	583	13	6
73	30	558	10	6	72	61	500	14	0	72	17	586	4	0
73	29	558	11	0	72	60	506	12	6	72	16	589	0	6
73	28	558	11	0	72	59	511	14	0	72	15	591	18	6
73	27	558	9	6	72	58	516	7	6	72	14	594	13	0
73	26	558	6	0	72	57	520	14	0	72	13	597	1	0
73	25	557	12	0	72	56	524	19	6	72	12	599	0	0
73	24	556	18	0	72	55	529	7	0	72	11	600	9	6
73	23	556	6	6	72	54	533	15	6	72	10	601	12	0
73	22	555	19	0	72	53	538	7	0	72	9	602	7	0
73	21	555	18	6	72	52	543	0	6	72	8	602	15	6
73	20	556	19	0	72	51	547	14	6	72	7	602	16	0
73	19	558	9	0	72	50	552	13	6	72	6	602	5	0
73	18	560	8	0	72	49	557	7	0	72	5	600	18	6
73	17	562	16	6	72	48	561	12	6	72	4	598	15	0
73	16	565	10	0	72	47	565	7	0	72	3	595	12	0
73	15	568	4	6	72	46	568	12	0	72	2	591	7	6
73	14	570	16	0	72	45	571	0	6	72	1	586	2	6
73	13	573	0	6	72	44	573	0	6	72	0	581	0	0
73	12	574	16	0	72	43	574	12	0					
73	11	576	3	0	72	42	575	16	6					
73	10	577	2	6	72	41	576	17	0	71	71	423	13	6
73	9	577	15	0	72	40	577	10	6	71	70	433	9	0
73	8	578	2	0	72	39	578	2	6	71	69	443	5	6
73	7	578	1	0	72	38	578	14	0	71	68	453	0	0
73	6	577	9	6	72	37	579	6	0	71	67	462	9	6
73	5	576	3	6	72	36	579	18	0	71	66	471	13	6
73	4	574	1	0	72	35	580	9	6	71	65	481	14	0
73	3	571	1	0	72	34	580	19	0	71	64	491	3	6
73	2	567	0	6	72	33	581	6	0	71	63	500	3	6
73	1	562	1	0	72	32	581	10	0	71	62	508	14	6
73	0	557	4	6	72	31	581	12	6	71	61	516	4	6
					72	30	581	14	6	71	60	522	13	6
					72	29	581	15	6	71	59	528	4	0
72	72	404	15	0	72	28	581	15	6	71	58	533	5	6
72	71	413	18	0	72	27	581	14	0	71	57	538	0	6
72	70	423	1	6	72	26	581	10	6	71	56	542	13	0
72	69	432	6	0	72	25	580	16	0	71	55	547	8	6
72	68	441	8	0	72	24	580	1	6	71	54	552	4	6
72	67	450	6	0	72	23	579	9	0	71	53	557	3	0
72	66	458	19	0	72	22	579	1	0	71	52	562	4	0
72	65	468	7	0	72	21	579	0	6	71	51	567	4	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
71	50	572	10	6	71	6	626	15	0	70	35	626	7	6
71	49	577	11	0	71	5	625	8	6	70	34	626	19	0
71	48	582	3	0	71	4	623	3	6	70	33	627	8	0
71	47	586	4	6	71	3	619	18	0	70	32	627	13	6
71	46	589	15	0	71	2	615	10	0	70	31	627	17	0
71	45	592	9	0	71	1	610	0	0	70	30	627	19	6
71	44	594	13	0	71	0	604	11	6	70	29	628	1	0
71	43	596	8	6						70	28	628	1	6
71	42	597	17	0						70	27	628	0	6
71	41	599	1	0	70	70	443	17	0	70	26	627	17	0
71	40	599	17	0	70	69	454	6	0	70	25	627	1	6
71	39	600	11	0	70	68	464	12	0	70	24	626	5	6
71	38	601	4	0	70	67	474	13	6	70	23	625	12	6
71	37	601	18	0	70	66	484	9	6	70	22	625	3	0
71	36	602	11	6	70	65	495	1	6	70	21	625	2	0
71	35	603	4	0	70	64	505	3	0	70	20	626	4	0
71	34	603	15	0	70	63	514	14	6	70	19	627	17	6
71	33	604	2	6	70	62	523	17	0	70	18	630	2	0
71	32	604	7	6	70	61	531	17	6	70	17	632	17	0
71	31	604	10	0	70	60	538	16	6	70	16	635	19	0
71	30	604	12	6	70	59	544	16	0	70	15	639	3	6
71	29	604	14	0	70	58	550	6	6	70	14	642	4	6
71	28	604	14	0	70	57	555	9	6	70	13	644	19	6
71	27	604	12	6	70	56	560	10	6	70	12	647	4	6
71	26	604	9	0	70	55	565	13	6	70	11	649	0	0
71	25	603	14	0	70	54	570	17	0	70	10	650	7	6
71	24	602	19	0	70	53	576	3	0	70	9	651	7	0
71	23	602	6	0	70	52	581	11	6	70	8	652	0	0
71	22	601	17	6	70	51	586	19	6	70	7	652	3	6
71	21	601	16	6	70	50	592	13	0	70	6	651	14	6
71	20	602	18	0	70	49	598	0	6	70	5	650	7	6
71	19	604	10	6	70	48	602	19	6	70	4	648	1	6
71	18	606	12	6	70	47	607	7	6	70	3	644	14	0
71	17	609	6	0	70	46	611	4	0	70	2	640	2	0
71	16	612	5	0	70	45	614	3	6	70	1	634	7	0
71	15	615	6	0	70	44	616	12	6	70	0	628	13	0
71	14	618	4	6	70	43	618	12	6					
71	13	620	15	6	70	42	620	4	6					
71	12	622	17	6	70	41	621	11	6	69	69	465	7	0
71	11	624	10	6	70	40	622	10	6	69	68	476	5	6
71	10	625	15	0	70	39	623	7	6	69	67	486	19	0
71	9	626	12	6	70	38	624	2	6	69	66	497	7	0
71	8	627	3	0	70	37	624	18	0	69	65	508	11	0
71	7	627	5	0	70	36	625	13	0	69	64	519	4	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
69	63	529	8	0	69	19	651	15	6	68	45	658	11	6
69	62	539	2	0	69	18	654	1	6	68	44	661	11	0
69	61	547	13	6	69	17	656	19	0	68	43	664	0	6
69	60	555	2	6	69	16	660	3	6	68	42	666	0	6
69	59	561	11	6	69	15	663	11	6	68	41	667	15	6
69	58	567	11	0	69	14	666	16	0	68	40	669	0	6
69	57	573	3	0	69	13	669	14	0	68	39	670	3	0
69	56	578	12	0	69	12	672	2	6	68	38	671	3	0
69	55	584	3	0	69	11	674	1	0	68	37	672	3	0
69	54	589	15	0	69	10	675	11	6	68	36	673	2	0
69	53	595	8	6	69	9	676	13	6	68	35	673	19	6
69	52	601	4	6	69	8	677	8	6	68	34	674	14	6
69	51	607	0	6	69	7	677	13	0	68	33	675	5	0
69	50	613	2	0	69	6	677	5	0	68	32	675	12	6
69	49	618	17	0	69	5	675	18	6	68	31	675	17	6
69	48	624	3	6	69	4	673	11	6	68	30	676	1	0
69	47	628	18	0	69	3	670	1	6	68	29	676	3	6
69	46	633	1	0	69	2	665	6	0	68	28	676	4	6
69	45	636	5	6	69	1	659	5	6	68	27	676	3	6
69	44	639	0	0	69	0	653	6	0	68	26	676	0	6
69	43	641	4	6						68	25	675	4	0
69	42	643	0	6	68	68	487	16	6	68	24	674	7	0
69	41	644	11	6	68	67	499	2	0	68	23	673	12	6
69	40	645	13	6	68	66	510	2	0	68	22	673	2	6
69	39	646	12	6	68	65	521	19	0	68	21	673	1	0
69	38	647	10	6	68	64	533	4	6	68	20	674	4	0
69	37	648	8	0	68	63	544	0	0	68	19	676	0	0
69	36	649	5	0	68	62	554	5	6	68	18	678	8	0
69	35	650	1	0	68	61	563	8	6	68	17	681	8	0
69	34	650	14	0	68	60	571	8	0	68	16	684	15	0
69	33	651	3	6	68	59	578	7	0	68	15	688	6	0
69	32	651	10	0	68	58	584	15	6	68	14	691	14	6
69	31	651	14	0	68	57	590	16	0	68	13	694	16	0
69	30	651	17	0	68	56	596	14	0	68	12	697	7	0
69	29	651	19	0	68	55	602	13	0	68	11	699	9	0
69	28	652	0	0	68	54	608	13	0	68	10	701	2	0
69	27	651	19	0	68	53	614	15	0	68	9	702	6	6
69	26	651	15	6	68	52	620	19	6	68	8	703	3	6
69	25	650	19	6	68	51	627	3	0	68	7	703	10	0
69	24	650	3	0	68	50	633	13	0	68	6	703	3	0
69	23	649	9	6	68	49	639	16	0	68	5	701	16	6
69	22	648	19	6	68	48	645	10	0	68	4	699	8	6
69	21	648	18	6	68	47	650	11	6	68	3	695	16	6
69	20	650	1	0	68	46	655	1	0	68	2	690	17	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
68	1	684	12	0	67	27	700	11	0	66	52	660	2	0
68	0	678	6	6	67	26	700	8	0	66	51	667	2	0
					67	25	699	11	0	66	50	674	9	6
					67	24	698	13	6	66	49	681	9	0
67	67	510	19	6	67	23	697	18	6	66	48	687	19	0
67	66	522	11	6	67	22	697	8	0	66	47	693	15	6
67	65	535	1	0	67	21	697	6	0	66	46	698	19	0
67	64	546	19	6	67	20	698	10	0	66	45	703	2	0
67	63	558	7	0	67	19	700	7	0	66	44	706	13	0
67	62	569	4	6	67	18	702	17	0	66	43	709	12	0
67	61	578	19	0	67	17	705	19	6	66	42	712	1	6
67	60	587	9	0	67	16	709	9	6	66	41	714	4	6
67	59	594	18	0	67	15	713	4	0	66	40	715	17	0
67	58	601	16	0	67	14	716	15	6	66	39	717	5	6
67	57	608	6	0	67	13	720	0	6	66	38	718	11	6
67	56	614	12	0	67	12	722	15	0	66	37	719	17	0
67	55	621	0	6	67	11	724	19	6	66	36	721	0	6
67	54	627	9	0	67	10	726	15	6	66	35	722	2	6
67	53	633	19	0	67	9	728	2	6	66	34	723	0	6
67	52	640	12	0	67	8	729	1	6	66	33	723	14	6
67	51	647	4	0	67	7	729	10	0	66	32	724	4	0
67	50	654	2	0	67	6	729	4	0	66	31	724	11	0
67	49	660	13	6	67	5	727	18	0	66	30	724	16	0
67	48	666	15	0	67	4	725	9	6	66	29	724	19	6
67	47	672	4	0	67	3	721	15	0	66	28	725	1	6
67	46	677	0	6	67	2	716	12	6	66	27	725	1	0
67	45	680	17	0	67	1	710	2	0	66	26	724	18	0
67	44	684	2	0	67	0	703	11	0	66	25	724	0	6
67	43	686	16	6						66	24	723	3	0
67	42	689	1	0						66	23	722	7	0
67	41	691	0	0	66	66	534	16	0	66	22	721	16	0
67	40	692	8	6	66	65	547	18	0	66	21	721	14	0
67	39	693	14	0	66	64	560	9	0	66	20	722	18	6
67	38	694	17	0	66	63	572	9	0	66	19	724	17	0
67	37	695	19	6	66	62	583	19	0	66	18	727	8	6
67	36	697	0	6	66	61	594	5	0	66	17	730	13	6
67	35	698	0	6	66	60	603	6	0	66	16	734	6	6
67	34	698	16	6	66	59	611	5	0	66	15	738	4	0
67	33	699	9	0	66	58	618	12	6	66	14	741	19	6
67	32	699	17	6	66	57	625	11	6	66	13	745	7	6
67	31	700	3	0	66	56	632	7	0	66	12	748	5	6
67	30	700	7	6	66	55	639	4	0	66	11	750	13	0
67	29	700	10	6	66	54	646	1	6	66	10	752	11	6
67	28	700	12	0	66	53	653	0	6	66	9	754	1	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
66	8	755	3	0	65	32	750	5	0	64	55	677	11	0
66	7	755	13	0	65	31	750	12	6	64	54	685	7	0
66	6	755	8	6	65	30	750	18	6	64	53	693	4	6
66	5	754	2	6	65	29	751	3	0	64	52	701	5	0
66	4	751	13	0	65	28	751	5	6	64	51	709	4	0
66	3	747	16	6	65	27	751	5	6	64	50	717	9	6
66	2	742	10	6	65	26	751	2	6	64	49	725	8	0
66	1	735	15	0	65	25	750	4	6	64	48	732	15	6
66	0	728	18	6	65	24	749	6	0	64	47	739	8	6
					65	23	748	10	0	64	46	745	8	0
					65	22	747	18	6	64	45	750	5	0
65	65	561	13	6	65	21	747	16	0	64	44	754	8	0
65	64	574	17	6	65	20	749	1	6	64	43	757	19	0
65	63	587	11	0	65	19	751	1	0	64	42	760	19	0
65	62	599	13	6	65	18	753	14	6	64	41	763	11	0
65	61	610	12	0	65	17	757	2	6	64	40	765	12	0
65	60	620	4	6	65	16	760	18	6	64	39	767	7	6
65	59	628	14	0	65	15	765	0	0	64	38	769	0	0
65	58	636	12	6	65	14	768	18	6	64	37	770	12	0
65	57	644	1	0	65	13	772	10	6	64	36	772	1	0
65	56	651	6	0	65	12	775	12	0	64	35	773	8	0
65	55	658	12	6	65	11	778	2	6	64	34	774	10	6
65	54	665	19	0	65	10	780	4	0	64	33	775	8	0
65	53	673	7	6	65	9	781	16	6	64	32	776	1	0
65	52	680	18	0	65	8	783	0	0	64	31	776	10	0
65	51	688	8	0	65	7	783	12	0	64	30	776	17	0
65	50	696	4	0	65	6	783	9	0	64	29	777	2	0
65	49	703	13	0	65	5	782	3	6	64	28	777	5	0
65	48	710	11	0	65	4	779	13	0	64	27	777	5	6
65	47	716	16	0	65	3	775	14	6	64	26	777	3	0
65	46	722	7	0	65	2	770	5	0	64	25	776	5	0
65	45	726	17	0	65	1	763	4	0	64	24	775	6	0
65	44	730	14	0	65	0	756	1	6	64	23	774	9	0
65	43	733	19	0						64	22	773	17	0
65	42	736	13	6						64	21	773	14	6
65	41	739	1	0	64	64	588	14	6	64	20	775	1	0
65	40	740	17	6	64	63	602	1	0	64	19	777	1	6
65	39	742	9	6	64	62	614	16	6	64	18	779	17	0
65	38	743	18	6	64	61	626	7	6	64	17	783	7	6
65	37	745	7	0	64	60	636	11	6	64	16	787	7	0
65	36	746	13	6	64	59	645	12	6	64	15	791	11	6
65	35	747	17	6	64	58	654	1	0	64	14	795	14	0
65	34	748	18	0	64	57	662	0	0	64	13	799	10	0
65	33	749	13	6	64	56	669	15	0	64	12	802	14	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
64	11	805	8	6	63	33	800	18	6	62	54	722	15	0
64	10	807	13	0	63	32	801	13	0	62	53	731	12	6
64	9	809	8	0	63	31	802	3	0	62	52	740	12	0
64	8	810	14	0	63	30	802	11	6	62	51	749	10	6
64	7	811	8	0	63	29	802	18	0	62	50	758	16	0
64	6	811	6	0	63	28	803	1	6	62	49	767	14	0
64	5	810	1	0	63	27	803	2	6	62	48	776	0	0
64	4	807	10	0	63	26	803	0	0	62	47	783	11	0
64	3	803	9	6	63	25	802	1	6	62	46	790	7	0
64	2	797	16	0	63	24	801	2	6	62	45	795	19	0
64	1	790	10	0	63	23	800	5	0	62	44	800	16	0
64	0	783	1	6	63	22	799	12	6	62	43	804	19	6
					63	21	799	10	0	62	42	808	10	6
					63	20	800	17	0	62	41	811	13	0
63	63	616	0	6	63	19	802	19	0	62	40	814	3	0
63	62	629	9	6	63	18	805	16	6	62	39	816	7	0
63	61	641	12	6	63	17	809	9	6	62	38	818	7	0
63	60	652	9	0	63	16	813	12	0	62	37	820	5	6
63	59	662	1	0	63	15	818	0	6	62	36	822	1	0
63	58	671	0	6	63	14	822	6	6	62	35	823	13	6
63	57	679	9	6	63	13	826	6	0	62	34	825	1	6
63	56	687	14	0	63	12	829	14	6	62	33	826	3	6
63	55	696	0	0	63	11	832	12	0	62	32	827	0	0
63	54	704	6	0	63	10	834	19	0	62	31	827	12	0
63	53	712	13	0	63	9	836	17	0	62	30	828	1	6
63	52	721	3	0	63	8	838	5	6	62	29	828	9	0
63	51	729	12	0	63	7	839	1	6	62	28	828	13	6
63	50	738	7	6	63	6	839	0	6	62	27	828	15	0
63	49	746	15	6	63	5	837	16	0	62	26	828	13	6
63	48	754	12	0	63	4	835	4	0	62	25	827	14	6
63	47	761	14	0	63	3	831	2	0	62	24	826	14	6
63	46	768	1	6	63	2	825	5	0	62	23	825	17	0
63	45	773	5	6	63	1	817	13	6	62	22	825	4	0
63	44	777	16	0	63	0	809	19	6	62	21	825	1	0
63	43	781	13	0						62	20	826	9	0
63	42	784	18	0						62	19	828	12	6
63	41	787	15	6	62	62	643	11	0	62	18	831	11	6
63	40	790	0	6	62	61	656	7	0	62	17	835	7	6
63	39	792	0	6	62	60	667	15	0	62	16	839	13	0
63	38	793	16	6	62	59	677	18	6	62	15	844	5	0
63	37	795	11	6	62	58	687	9	0	62	14	848	15	0
63	36	797	4	0	62	57	696	8	6	62	13	852	18	6
63	35	798	13	6	62	56	705	3	6	62	12	856	10	0
63	34	799	18	6	62	55	713	19	0	62	11	859	11	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
62	10	862	1	6	61	30	852	7	6	60	49	805	6	6
62	9	864	2	0	61	29	852	16	0	60	48	814	11	6
62	8	865	13	0	61	28	853	1	6	60	47	823	0	6
62	7	866	11	0	61	27	853	4	0	60	46	830	13	6
62	6	866	11	6	61	26	853	2	6	60	45	837	1	6
62	5	865	7	6	61	25	852	3	6	60	44	842	13	0
62	4	862	15	0	61	24	851	3	6	60	43	847	9	6
62	3	858	11	0	61	23	850	5	6	60	42	851	12	6
62	2	852	10	6	61	22	849	12	0	60	41	855	6	6
62	1	844	14	6	61	21	849	9	0	60	40	858	6	0
62	0	836	14	6	61	20	850	17	6	60	39	860	19	0
					61	19	853	2	6	60	38	863	7	0
					61	18	856	3	6	60	37	865	13	0
61	61	669	15	6	61	17	860	1	6	60	36	867	15	6
61	60	681	15	6	61	16	864	10	6	60	35	869	15	0
61	59	692	10	0	61	15	869	6	0	60	34	871	8	0
61	58	702	11	0	61	14	873	19	6	60	33	872	15	0
61	57	712	1	0	61	13	878	6	6	60	32	873	16	0
61	56	721	6	0	61	12	882	2	0	60	31	874	11	6
61	55	730	12	0	61	11	885	6	0	60	30	875	4	6
61	54	739	17	6	61	10	887	19	6	60	29	875	14	6
61	53	749	5	0	61	9	890	3	0	60	28	876	1	0
61	52	758	14	6	61	8	891	16	6	60	27	876	4	0
61	51	768	3	0	61	7	892	16	6	60	26	876	3	6
61	50	777	18	0	61	6	892	18	6	60	25	875	4	6
61	49	787	5	6	61	5	891	15	0	60	24	874	4	0
61	48	796	1	0	61	4	889	2	0	60	23	873	5	6
61	47	804	1	0	61	3	884	16	0	60	22	872	12	0
61	46	811	5	6	61	2	878	12	6	60	21	872	9	0
61	45	817	5	6	61	1	870	11	6	60	20	873	18	6
61	44	822	10	0	61	0	862	6	6	60	19	876	4	6
61	43	827	0	0						60	18	879	7	6
61	42	830	17	0						60	17	883	8	0
61	41	834	5	0	60	60	694	6	6	60	16	887	19	6
61	40	836	19	6	60	59	705	12	0	60	15	892	18	6
61	39	839	8	0	60	58	716	4	0	60	14	897	15	6
61	38	841	12	0	60	57	726	4	0	60	13	902	6	0
61	37	843	14	0	60	56	735	19	0	60	12	906	5	0
61	36	845	13	0	60	55	745	15	0	60	11	909	12	0
61	35	847	9	0	60	54	755	10	6	60	10	912	9	0
61	34	848	19	6	60	53	765	7	0	60	9	914	14	6
61	33	850	4	0	60	52	775	6	6	60	8	916	11	0
61	32	851	2	6	60	51	785	4	6	60	7	917	13	0
61	31	851	16	0	60	50	795	9	6	60	6	917	16	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
60	5	916	13	6	59	23	895	0	6	58	40	897	9	0
60	4	914	0	6	59	22	894	6	6	58	39	900	11	6
60	3	909	13	0	59	21	894	3	6	58	38	903	8	6
60	2	903	6	6	59	20	895	13	6	58	37	906	2	6
60	1	895	1	0	59	19	898	0	6	58	36	908	12	6
60	0	886	11	0	59	18	901	5	6	58	35	910	18	6
					59	17	905	8	0	58	34	912	18	0
					59	16	910	2	6	58	33	914	10	6
59	59	717	8	6	59	15	915	4	6	58	32	915	16	0
59	58	728	10	6	59	14	920	5	0	58	31	916	16	0
59	57	739	0	6	59	13	924	19	9	58	30	917	12	6
59	56	749	5	6	59	12	929	1	0	58	29	918	5	0
59	55	759	11	0	59	11	932	11	6	58	28	918	14	6
59	54	769	16	0	59	10	935	11	0	58	27	919	0	0
59	53	780	2	6	59	9	938	0	0	58	26	919	0	6
59	52	790	11	6	59	8	939	18	6	58	25	918	2	0
59	51	800	18	6	59	7	941	2	6	58	24	917	1	6
59	50	811	13	6	59	6	941	8	0	58	23	916	3	0
59	49	822	0	0	59	5	940	6	0	58	22	915	9	0
59	48	831	14	0	59	4	937	12	6	58	21	915	6	0
59	47	840	12	0	59	3	933	3	6	58	20	916	16	6
59	46	848	13	6	59	2	926	14	6	58	19	919	5	0
59	45	855	9	0	59	1	918	5	0	58	18	922	11	0
59	44	861	8	0	59	0	909	10	0	58	17	926	16	0
59	43	866	11	6						58	16	931	13	6
59	42	871	0	6						58	15	936	18	6
59	41	875	0	0	58	58	740	2	6	58	14	942	2	0
59	40	878	4	6	58	57	751	2	6	58	13	946	19	0
59	39	881	2	6	58	56	761	17	6	58	12	951	4	6
59	38	883	14	6	58	55	772	12	6	58	11	954	18	0
59	37	886	5	0	58	54	783	7	0	58	10	958	0	6
59	36	888	11	0	58	53	794	3	0	58	9	960	12	0
59	35	890	13	6	58	52	805	1	0	58	8	962	13	6
59	34	892	10	0	58	51	815	18	0	58	7	963	19	6
59	33	893	19	6	58	50	827	2	0	58	6	964	6	6
59	32	895	2	6	58	49	837	18	0	58	5	963	5	6
59	31	896	0	6	58	48	848	1	6	58	4	960	11	6
59	30	896	15	0	58	47	857	8	0	58	3	956	1	6
59	29	897	6	0	58	46	865	18	0	58	2	949	10	0
59	28	897	14	0	58	45	873	1	6	58	1	940	16	6
59	27	897	18	6	58	44	879	7	6	58	0	931	17	0
59	26	897	18	6	58	43	884	18	0					
59	25	896	19	6	58	42	889	13	6					
59	24	895	19	0	58	41	893	19	0	57	57	762	12	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
57	56	773	17	0	57	12	972	18	0	56	27	959	19	6
57	55	785	1	6	57	11	976	14	6	56	26	960	2	0
57	54	796	5	6	57	10	980	0	0	56	25	959	4	6
57	53	807	10	6	57	9	982	14	0	56	24	958	4	6
57	52	818	18	6	57	8	984	18	0	56	23	957	5	6
57	51	830	4	6	57	7	986	6	6	56	22	956	11	6
57	50	841	18	6	57	6	986	15	0	56	21	956	9	0
57	49	853	3	6	57	5	985	14	6	56	20	958	1	0
57	48	863	16	0	57	4	983	1	0	56	19	960	11	6
57	47	873	11	6	57	3	978	10	0	56	18	964	1	6
57	46	882	10	0	57	2	971	15	6	56	17	968	10	6
57	45	890	1	0	57	1	962	18	6	56	16	973	13	0
57	44	896	15	0	57	0	953	14	6	56	15	979	4	0
57	43	902	12	6						56	14	984	14	0
57	42	907	14	6						56	13	989	17	6
57	41	912	6	0	56	56	785	10	6	56	12	994	9	6
57	40	916	1	0	56	55	797	5	0	56	11	998	9	0
57	39	919	8	6	56	54	808	18	0	56	10	1001	17	6
57	38	922	10	0	56	53	820	13	0	56	9	1004	14	0
57	37	925	8	6	56	52	832	10	0	56	8	1007	0	0
57	36	928	2	6	56	51	844	5	6	56	7	1008	11	0
57	35	930	12	0	56	50	856	9	0	56	6	1009	1	0
57	34	932	15	0	56	49	868	3	6	56	5	1008	1	6
57	33	934	10	6	56	48	879	5	0	56	4	1005	8	0
57	32	935	18	6	56	47	889	9	6	56	3	1000	16	0
57	31	937	0	6	56	46	898	16	6	56	2	993	19	6
57	30	937	19	0	56	45	906	15	6	56	1	984	18	6
57	29	938	13	6	56	44	913	17	0	56	0	975	10	6
57	28	939	4	6	56	43	920	1	6					
57	27	939	11	0	56	42	925	10	0					
57	26	939	13	0	56	41	930	7	6	55	55	809	8	6
57	25	938	14	6	56	40	934	8	6	55	54	821	11	6
57	24	937	14	0	56	39	938	1	0	55	53	833	15	6
57	23	936	15	6	56	38	941	7	6	55	52	846	2	6
57	22	936	1	6	56	37	944	10	6	55	51	858	7	6
57	21	935	18	6	56	36	947	8	6	55	50	871	0	6
57	20	937	10	0	56	35	950	2	0	55	49	883	4	6
57	19	939	19	6	56	34	952	8	0	55	48	894	15	6
57	18	943	7	6	56	33	954	6	6	55	47	905	9	0
57	17	947	14	6	56	32	955	17	6	55	46	915	4	6
57	16	952	14	6	56	31	957	2	0	55	45	923	12	0
57	15	958	2	6	56	30	958	2	6	55	44	931	1	0
57	14	963	9	6	56	29	958	19	0	55	43	937	12	6
57	13	968	9	6	56	28	959	11	6	55	42	943	8	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
55	41	948	11	6	54	54	834	4	0	54	10	1046	6	6
55	40	952	18	6	54	53	846	17	6	54	9	1049	8	6
55	39	956	16	6	54	52	859	14	0	54	8	1052	0	0
55	38	960	8	0	54	51	872	9	0	54	7	1053	15	0
55	37	963	15	6	54	50	885	11	6	54	6	1054	8	6
55	36	966	18	0	54	49	898	5	6	54	5	1053	11	0
55	35	969	15	0	54	48	910	5	6	54	4	1050	17	6
55	34	972	5	0	54	47	921	8	6	54	3	1046	3	6
55	33	974	7	0	54	46	931	12	6	54	2	1039	2	6
55	32	976	0	6	54	45	940	8	0	54	1	1029	14	0
55	31	977	7	6	54	44	948	5	0	54	0	1019	17	6
55	30	978	10	0	54	43	955	4	0					
55	29	979	8	6	54	42	961	6	0					
55	28	980	3	0	54	41	966	16	6	53	53	860	1	6
55	27	980	12	0	54	40	971	9	0	53	52	873	7	6
55	26	980	16	0	54	39	975	13	0	53	51	886	12	0
55	25	979	19	0	54	38	979	9	6	53	50	900	4	6
55	24	978	19	6	54	37	983	2	0	53	49	913	8	0
55	23	978	0	6	54	36	986	9	0	53	48	925	18	0
55	22	977	7	0	54	35	989	10	6	53	47	937	10	0
55	21	977	4	6	54	34	992	4	0	53	46	948	3	0
55	20	978	17	6	54	33	994	9	0	53	45	957	7	0
55	19	981	9	6	54	32	996	6	0	53	44	965	12	0
55	18	985	0	6	54	31	997	15	6	53	43	972	18	6
55	17	989	12	6	54	30	999	0	6	53	42	979	7	6
55	16	994	17	6	54	29	1000	1	0	53	41	985	4	6
55	15	1000	11	6	54	28	1000	17	0	53	40	990	3	6
55	14	1006	4	6	54	27	1001	8	0	53	39	994	13	0
55	13	1011	11	6	54	26	1001	13	6	53	38	998	15	0
55	12	1016	6	0	54	25	1000	17	0	53	37	1002	12	6
55	11	1020	8	6	54	24	999	17	6	53	36	1006	4	0
55	10	1024	0	0	54	23	998	19	6	53	35	1009	10	0
55	9	1026	19	6	54	22	998	5	6	53	34	1012	7	6
55	8	1029	8	0	54	21	998	3	6	53	33	1014	16	6
55	7	1031	1	0	54	20	999	17	6	53	32	1016	16	0
55	6	1031	13	0	54	19	1002	11	0	53	31	1018	8	6
55	5	1030	14	6	54	18	1006	4	0	53	30	1019	16	6
55	4	1028	1	0	54	17	1010	18	0	53	29	1020	19	0
55	3	1023	7	6	54	16	1016	5	6	53	28	1021	17	0
55	2	1016	9	0	54	15	1022	2	6	53	27	1022	9	6
55	1	1007	4	6	54	14	1027	19	0	53	26	1022	16	6
55	0	997	12	0	54	13	1033	9	0	53	25	1022	0	6
					54	12	1038	7	0	53	24	1021	2	0
					54	11	1042	12	6	53	23	1020	4	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
53	22	1019	10	6	52	33	1035	9	6	51	43	1008	15	6
53	21	1019	8	6	52	32	1037	13	0	51	42	1015	19	6
53	20	1021	4	0	52	31	1039	8	0	51	41	1022	10	6
53	19	1023	18	6	52	30	1040	19	0	51	40	1028	2	0
53	18	1027	13	6	52	29	1042	4	0	51	39	1033	3	6
53	17	1032	10	0	52	28	1043	4	0	51	38	1037	16	6
53	16	1038	0	6	52	27	1043	18	6	51	37	1042	5	0
53	15	1044	0	6	52	26	1044	6	6	51	36	1046	6	6
53	14	1050	0	6	52	25	1043	12	0	51	35	1050	1	6
53	13	1055	13	6	52	24	1042	13	6	51	34	1053	8	0
53	12	1060	14	6	52	23	1041	16	0	51	33	1056	4	6
53	11	1065	3	6	52	22	1041	3	0	51	32	1058	11	0
53	10	1069	0	0	52	21	1041	2	0	51	31	1060	9	6
53	9	1072	5	0	52	20	1042	18	0	51	30	1062	3	0
53	8	1074	19	0	52	19	1045	14	6	51	29	1063	11	0
53	7	1076	16	0	52	18	1049	11	6	51	28	1064	13	0
53	6	1077	11	6	52	17	1054	10	0	51	27	1065	9	6
53	5	1076	15	0	52	16	1060	3	6	51	26	1065	19	0
53	4	1074	1	6	52	15	1066	7	0	51	25	1065	5	6
53	3	1069	6	6	52	14	1072	10	0	51	24	1064	8	0
53	2	1062	3	0	52	13	1078	6	6	51	23	1063	11	0
53	1	1052	11	0	52	12	1083	11	0	51	22	1062	18	6
53	0	1042	10	0	52	11	1088	2	6	51	21	1062	17	6
					52	10	1092	2	6	51	20	1064	15	6
					52	9	1095	10	0	51	19	1067	13	0
52	52	887	3	6	52	8	1098	6	0	51	18	1071	12	6
52	51	900	17	6	52	7	1100	5	6	51	17	1076	13	6
52	50	915	0	6	52	6	1101	3	0	51	16	1082	10	0
52	49	928	14	0	52	5	1100	7	6	51	15	1088	16	6
52	48	941	13	6	52	4	1097	14	0	51	14	1095	3	0
52	47	953	15	0	52	3	1092	18	0	51	13	1101	3	0
52	46	964	17	6	52	2	1085	12	0	51	12	1106	10	6
52	45	974	10	0	52	1	1075	16	6	51	11	1111	5	6
52	44	983	3	0	52	0	1065	11	0	51	10	1115	8	0
52	43	990	17	0						51	9	1118	18	6
52	42	997	13	6						51	8	1121	17	6
52	41	1003	17	6	51	51	915	2	0	51	7	1123	19	0
52	40	1009	2	6	51	50	929	15	0	51	6	1124	18	0
52	39	1013	18	0	51	49	943	18	6	51	5	1124	3	6
52	38	1018	5	6	51	48	957	8	6	51	4	1121	10	6
52	37	1022	8	6	51	47	969	19	6	51	3	1116	13	0
52	36	1026	5	0	51	46	981	11	0	51	2	1109	5	0
52	35	1029	15	0	51	45	991	12	6	51	1	1099	5	6
52	34	1032	17	0	51	44	1000	13	6	51	0	1088	16	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
50	50	944	18	0	50	6	1149	9	0	49	14	1141	14	6
50	49	959	12	0	50	5	1148	15	6	49	13	1148	1	6
50	48	973	12	0	50	4	1146	2	6	49	12	1153	16	0
50	47	986	13	0	50	3	1141	4	0	49	11	1158	17	0
50	46	998	14	6	50	2	1133	14	0	49	10	1163	6	0
50	45	1009	4	6	50	1	1123	10	6	49	9	1167	2	0
50	44	1018	14	6	50	0	1112	16	6	49	8	1170	6	0
50	43	1027	4	6						49	7	1172	12	6
50	42	1034	16	0						49	6	1173	15	0
50	41	1041	14	0	49	49	974	16	6	49	5	1173	2	6
50	40	1047	12	0	49	48	989	6	6	49	4	1170	9	6
50	39	1053	0	0	49	47	1002	17	6	49	3	1165	10	0
50	38	1057	19	0	49	46	1015	8	6	49	2	1157	17	6
50	37	1062	13	0	49	45	1026	8	0	49	1	1147	10	6
50	36	1067	0	0	49	44	1036	6	6	49	0	1136	12	0
50	35	1071	0	6	49	43	1045	4	6					
50	34	1074	11	0	49	42	1053	4	0					
50	33	1077	12	0	49	41	1060	9	6	48	48	1004	7	0
50	32	1080	2	6	49	40	1066	14	6	48	47	1018	7	6
50	31	1082	4	6	49	39	1072	8	6	48	46	1031	8	6
50	30	1084	0	6	49	38	1077	14	0	48	45	1042	16	6
50	29	1085	11	0	49	37	1082	13	6	48	44	1053	4	0
50	28	1086	16	0	49	36	1087	6	0	48	43	1062	10	6
50	27	1087	14	0	49	35	1091	11	6	48	42	1070	17	6
50	26	1088	6	0	49	34	1095	7	0	48	41	1078	10	0
50	25	1087	13	0	49	33	1098	12	0	48	40	1085	2	0
50	24	1086	16	6	49	32	1101	6	6	48	39	1091	3	0
50	23	1086	0	0	49	31	1103	12	0	48	38	1096	14	6
50	22	1085	8	0	49	30	1105	11	6	48	37	1102	0	0
50	21	1085	8	0	49	29	1107	5	0	48	36	1106	18	0
50	20	1087	7	0	49	28	1108	12	0	48	35	1111	8	6
50	19	1090	6	6	49	27	1109	12	6	48	34	1115	9	0
50	18	1094	8	0	49	26	1110	6	0	48	33	1118	18	6
50	17	1099	12	0	49	25	1109	14	6	48	32	1121	17	0
50	16	1105	11	6	49	24	1108	19	0	48	31	1124	6	6
50	15	1112	1	6	49	23	1108	3	6	48	30	1126	9	6
50	14	1118	11	6	49	22	1107	12	0	48	29	1128	5	6
50	13	1124	15	0	49	21	1107	12	6	48	28	1129	15	6
50	12	1130	6	0	49	20	1109	13	0	48	27	1130	18	6
50	11	1135	4	0	49	19	1112	14	6	48	26	1131	14	0
50	10	1139	10	0	49	18	1116	18	0	48	25	1131	3	6
50	9	1143	3	0	49	17	1122	4	6	48	24	1130	9	0
50	8	1146	4	6	49	16	1128	7	6	48	23	1129	14	6
50	7	1148	8	6	49	15	1135	1	0	48	22	1129	4	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
48	21	1129	5	0	47	27	1151	5	6	46	32	1159	19	6
48	20	1131	7	0	47	26	1152	3	6	46	31	1162	16	6
48	19	1134	10	6	47	25	1151	14	6	46	30	1165	6	6
48	18	1138	16	0	47	24	1151	1	0	46	29	1167	9	6
48	17	1144	5	6	47	23	1150	7	6	46	28	1169	5	0
48	16	1150	11	6	47	22	1149	18	0	46	27	1170	13	0
48	15	1157	8	6	47	21	1150	0	0	46	26	1171	13	0
48	14	1164	6	0	47	20	1152	3	6	46	25	1171	5	6
48	13	1170	16	6	47	19	1155	8	6	46	24	1170	13	6
48	12	1176	14	6	47	18	1159	16	6	46	23	1170	1	0
48	11	1181	19	0	47	17	1165	9	0	46	22	1169	12	6
48	10	1186	10	6	47	16	1171	18	0	46	21	1169	15	6
48	9	1190	9	6	47	15	1178	18	6	46	20	1172	0	6
48	8	1193	16	6	47	14	1185	19	6	46	19	1175	7	6
48	7	1196	5	0	47	13	1192	13	6	46	18	1179	18	0
48	6	1197	9	6	47	12	1198	14	6	46	17	1185	13	0
48	5	1196	18	0	47	11	1204	2	6	46	16	1192	5	0
48	4	1194	5	0	47	10	1208	17	6	46	15	1199	9	0
48	3	1189	4	6	47	9	1212	19	0	46	14	1206	13	0
48	2	1181	9	6	47	8	1216	8	6	46	13	1213	11	0
48	1	1170	19	0	47	7	1218	19	6	46	12	1219	15	6
48	0	1159	16	0	47	6	1220	5	6	46	11	1225	6	6
					47	5	1219	15	0	46	10	1230	4	6
					47	4	1217	2	6	46	9	1234	9	0
					47	3	1212	1	6	46	8	1238	0	6
47	47	1032	18	6	47	2	1204	4	0	46	7	1240	14	0
47	46	1046	8	6	47	1	1193	10	0	46	6	1242	2	0
47	45	1058	6	0	47	0	1182	3	0	46	5	1241	12	6
47	44	1069	1	6						46	4	1239	0	6
47	43	1078	16	6						46	3	1233	18	6
47	42	1087	11	0						46	2	1225	19	0
47	41	1095	11	6	46	46	1060	7	6	46	1	1215	1	6
47	40	1102	10	6	46	45	1072	14	0	46	0	1203	11	0
47	39	1108	17	6	46	44	1083	18	6					
47	38	1114	15	6	46	43	1094	1	0					
47	37	1120	7	0	46	42	1103	4	0					
47	36	1125	10	6	46	41	1111	11	6	45	45	1085	9	0
47	35	1130	6	6	46	40	1118	17	6	45	44	1097	1	6
47	34	1134	12	0	46	39	1125	11	0	45	43	1107	12	6
47	33	1138	6	0	46	38	1131	15	0	45	42	1117	2	6
47	32	1141	9	0	46	37	1137	13	0	45	41	1125	17	6
47	31	1144	2	0	46	36	1143	2	0	45	40	1133	10	0
47	30	1146	8	0	46	35	1148	3	6	45	39	1140	10	6
47	29	1148	7	6	46	34	1152	14	0	45	38	1147	0	6
47	28	1150	0	6	46	33	1156	12	6	45	37	1153	4	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
45	36	1158	19	0	44	39	1154	7	0	43	41	1151	1	0
45	35	1164	6	0	44	38	1161	3	0	43	40	1159	7	0
45	34	1169	1	6	44	37	1167	12	6	43	39	1167	0	6
45	33	1173	5	0	44	36	1173	13	0	43	38	1174	3	0
45	32	1176	16	0	44	35	1179	5	0	43	37	1180	18	0
45	31	1179	17	0	44	34	1184	6	0	43	36	1187	4	0
45	30	1182	10	6	44	33	1188	14	0	43	35	1193	1	6
45	29	1184	17	0	44	32	1192	9	6	43	34	1198	7	0
45	28	1186	15	6	44	31	1195	14	6	43	33	1203	0	0
45	27	1188	6	0	44	30	1198	12	0	43	32	1207	0	0
45	26	1189	8	6	44	29	1201	1	6	43	31	1210	9	0
45	25	1189	3	0	44	28	1203	3	0	43	30	1213	10	0
45	24	1188	12	0	44	27	1204	16	6	43	29	1216	3	0
45	23	1188	1	0	44	26	1206	1	0	43	28	1218	8	0
45	22	1187	13	6	44	25	1205	18	0	43	27	1220	4	6
45	21	1187	17	6	44	24	1205	8	6	43	26	1221	11	6
45	20	1190	4	6	44	23	1204	18	6	43	25	1221	10	0
45	19	1193	13	0	44	22	1204	12	0	43	24	1221	2	6
45	18	1198	6	0	44	21	1204	18	0	43	23	1220	14	0
45	17	1204	3	6	44	20	1207	6	0	43	22	1220	9	0
45	16	1210	18	6	44	19	1210	17	0	43	21	1220	16	0
45	15	1218	5	6	44	18	1215	11	6	43	20	1223	6	0
45	14	1225	13	0	44	17	1221	12	0	43	19	1226	18	6
45	13	1232	14	0	44	16	1228	10	0	43	18	1231	15	6
45	12	1239	2	0	44	15	1236	0	0	43	17	1237	18	6
45	11	1244	16	0	44	14	1243	11	0	43	16	1244	19	6
45	10	1249	17	0	44	13	1250	15	0	43	15	1252	12	6
45	9	1254	4	0	44	12	1257	6	0	43	14	1260	6	6
45	8	1257	18	6	44	11	1263	3	0	43	13	1267	13	6
45	7	1260	14	0	44	10	1268	6	6	43	12	1274	7	6
45	6	1262	4	0	44	9	1272	16	6	43	11	1280	7	6
45	5	1261	15	6	44	8	1276	13	6	43	10	1285	14	0
45	4	1259	3	6	44	7	1279	11	0	43	9	1290	6	6
45	3	1254	1	0	44	6	1281	3	0	43	8	1294	6	0
45	2	1246	0	6	44	5	1280	16	0	43	7	1297	5	6
45	1	1235	0	0	44	4	1278	4	6	43	6	1298	19	0
45	0	1223	5	6	44	3	1273	1	6	43	5	1298	13	6
					44	2	1264	19	0	43	4	1296	2	6
					44	1	1253	15	6	43	3	1290	19	0
					44	0	1241	18	0	42	2	1282	15	0
44	44	1109	2	0						43	1	1271	9	6
44	43	1120	0	6						43	0	1259	9	
44	42	1129	18	6										
44	41	1139	0	6	43	43	1131	7	0					
44	40	1147	0	0	43	42	1141	12	0					

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
42	42	1152	4	0	41	41	1172	2	6	40	40	1190	7	0
42	41	1162	0	0	41	40	1181	1	6	40	39	1198	18	6
42	40	1170	12	6	41	39	1189	7	6	40	38	1206	19	0
42	39	1178	12	0	41	38	1197	2	0	40	37	1214	11	6
42	38	1186	0	6	41	37	1204	8	6	40	36	1221	14	0
42	37	1193	1	6	41	36	1211	6	0	40	35	1228	7	0
42	36	1199	13	6	41	35	1217	13	6	40	34	1234	7	6
42	35	1205	16	0	41	34	1223	9	6	40	33	1239	14	6
42	34	1211	6	6	41	33	1228	11	6	40	32	1244	7	6
42	33	1216	4	0	41	32	1233	0	6	40	31	1248	8	6
42	32	1220	8	6	41	31	1236	17	6	40	30	1252	1	0
42	31	1224	1	6	41	30	1240	6	0	40	29	1255	5	0
42	30	1227	6	6	41	29	1243	6	6	40	28	1257	19	6
42	29	1230	3	0	41	28	1245	17	6	40	27	1260	5	0
42	28	1232	11	0	41	27	1248	0	0	40	26	1262	0	6
42	27	1234	10	6	41	26	1249	12	6	40	25	1262	5	6
42	26	1236	0	6	41	25	1249	15	6	40	24	1262	4	0
42	25	1236	1	0	41	24	1249	12	0	40	23	1262	0	6
42	24	1235	15	6	41	23	1249	6	6	40	22	1262	0	0
42	23	1235	8	6	41	22	1249	4	6	40	21	1262	11	6
42	22	1235	5	0	41	21	1249	14	0	40	20	1265	6	6
42	21	1235	13	0	41	20	1252	7	6	40	19	1269	5	6
42	20	1238	4	6	41	19	1256	4	6	40	18	1274	9	0
42	19	1241	19	6	41	18	1261	6	0	40	17	1280	19	0
42	18	1246	18	6	41	17	1267	13	6	40	16	1288	8	0
42	17	1253	4	0	41	16	1274	19	6	40	15	1296	9	6
42	16	1260	7	6	41	15	1282	18	6	40	14	1304	12	0
42	15	1268	3	0	41	14	1290	18	6	40	13	1312	8	0
42	14	1276	0	6	41	13	1298	11	0	40	12	1319	10	6
42	13	1283	10	6	41	12	1305	11	6	40	11	1325	18	6
42	12	1290	7	6	41	11	1311	16	6	40	10	1331	12	6
42	11	1296	10	0	41	10	1317	8	6	40	9	1336	12	6
42	10	1301	19	0	41	9	1322	6	0	40	8	1340	19	0
42	9	1306	14	6	41	8	1326	10	0	40	7	1344	5	6
42	8	1310	16	0	41	7	1329	14	6	40	6	1346	4	0
42	7	1313	18	0	41	6	1331	11	6	40	5	1346	2	0
42	6	1315	13	6	41	5	1331	8	0	40	4	1343	13	0
42	5	1315	9	0	41	4	1328	18	6	40	3	1338	9	0
42	4	1312	18	6	41	3	1323	14	6	40	2	1330	2	0
42	3	1307	15	0	41	2	1315	8	6	40	1	1318	10	6
42	2	1299	10	0	41	1	1303	18	6	40	0	1306	2	0
42	1	1288	2	0	41	0	1291	12	6					
42	0	1275	18	6						39	39	1207	16	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
39	38	1216	2	0	38	35	1247	13	6	37	31	1279	7	0
39	37	1224	0	0	38	34	1254	3	6	37	30	1283	11	0
39	36	1231	8	0	38	33	1259	19	6	37	29	1287	5	6
39	35	1238	6	0	38	32	1265	1	6	37	28	1290	10	6
39	34	1244	11	6	38	31	1269	10	6	37	27	1293	5	0
39	33	1250	3	0	38	30	1273	11	0	37	26	1295	9	0
39	32	1255	0	6	38	29	1277	1	6	37	25	1296	1	6
39	31	1259	5	6	38	28	1280	3	0	37	24	1296	6	6
39	30	1263	2	0	38	27	1282	14	6	37	23	1296	9	0
39	29	1266	9	6	38	26	1284	16	0	37	22	1296	14	0
39	28	1269	7	6	38	25	1285	6	0	37	21	1297	10	6
39	27	1271	16	0	38	24	1285	8	6	37	20	1300	11	6
39	26	1273	14	0	38	23	1285	8	6	37	19	1304	16	6
39	25	1274	1	6	38	22	1285	12	0	37	18	1310	7	0
39	24	1274	2	0	38	21	1286	6	6	37	17	1317	4	0
39	23	1274	0	6	38	20	1289	6	0	37	16	1325	0	6
39	22	1274	2	0	38	19	1293	8	6	37	15	1333	10	0
39	21	1274	15	0	38	18	1298	16	6	37	14	1342	1	0
39	20	1277	12	0	38	17	1305	11	6	37	13	1350	5	0
39	19	1281	12	6	38	16	1313	5	6	37	12	1357	15	0
39	18	1286	18	6	38	15	1321	12	6	37	11	1364	10	6
39	17	1293	11	0	38	14	1330	0	6	37	10	1370	12	0
39	16	1301	2	6	38	13	1338	2	0	37	9	1375	19	0
39	15	1309	6	6	38	12	1345	9	6	37	8	1380	12	0
39	14	1317	12	0	38	11	1352	2	6	37	7	1384	4	0
39	13	1325	10	6	38	10	1358	1	6	37	6	1386	8	0
39	12	1332	15	6	38	9	1363	6	0	37	5	1386	10	0
39	11	1339	6	0	38	8	1367	17	0	37	4	1384	3	0
39	10	1345	3	0	38	7	1371	7	0	37	3	1378	19	6
39	9	1350	5	6	38	6	1373	9	6	37	2	1370	10	0
39	8	1354	14	0	38	5	1373	10	0	37	1	1358	13	6
39	7	1358	2	0	38	4	1371	2	6	37	0	1345	19	6
39	6	1360	2	6	38	3	1365	18	6					
39	5	1360	2	0	38	2	1357	10	0					
39	4	1357	13	6	38	1	1345	15	0	36	36	1257	7	6
39	3	1352	10	0	38	0	1333	2	6	36	35	1265	0	6
39	2	1344	2	0						36	34	1272	0	0
39	1	1332	8	6						36	33	1278	5	0
39	0	1319	18	0	37	37	1241	5	6	36	32	1283	15	6
					37	36	1249	4	0	36	31	1288	13	0
					37	35	1256	12	0	36	30	1293	1	0
38	38	1224	13	6	37	34	1263	7	0	36	29	1296	19	0
38	37	1232	17	0	37	33	1269	7	6	36	28	1300	7	0
38	36	1240	10	0	37	32	1274	13	6	36	27	1303	5	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
36	26	1305	12	0	35	20	1321	12	6	34	13	1383	9	0
36	25	1306	7	0	35	19	1326	1	6	34	12	1391	6	6
36	24	1306	14	0	35	18	1331	16	6	34	11	1398	0	0
36	23	1306	18	6	35	17	1338	18	6	34	10	1404	17	6
36	22	1307	5	6	35	16	1347	0	6	34	9	1410	10	6
36	21	1308	4	0	35	15	1355	15	0	34	8	1415	10	0
36	20	1311	7	0	35	14	1364	11	6	34	7	1419	7	6
36	19	1315	14	6	35	13	1373	0	6	34	6	1421	16	0
36	18	1321	7	0	35	12	1380	15	6	34	5	1422	2	0
36	17	1328	6	6	35	11	1387	16	0	34	4	1419	17	0
36	16	1336	5	6	35	10	1394	2	0	34	3	1414	14	0
36	15	1344	18	0	35	9	1399	13	0	34	2	1406	3	6
36	14	1353	11	6	35	8	1404	10	0	34	1	1394	3	6
36	13	1361	18	0	35	7	1408	6	0	34	0	1381	4	6
36	12	1369	10	6	35	6	1410	13	0					
36	11	1376	8	6	35	5	1410	17	6					
36	10	1382	12	0	35	4	1408	12	0	33	33	1301	3	0
36	9	1388	1	0	35	3	1403	9	0	33	32	1307	6	0
36	8	1392	16	6	35	2	1394	19	0	33	31	1312	15	0
36	7	1396	10	6	35	1	1382	19	6	33	30	1317	14	6
36	6	1398	16	0	35	0	1370	2	0	33	29	1322	3	0
36	5	1398	19	0						33	28	1326	1	6
36	4	1396	13	0						33	27	1329	8	6
36	3	1391	9	6	34	34	1287	11	6	33	26	1332	4	6
36	2	1383	0	0	34	33	1294	5	0	33	25	1333	7	0
36	1	1371	2	0	34	32	1300	4	0	33	24	1334	1	0
36	0	1358	6	0	34	31	1305	9	6	33	23	1334	12	6
					34	30	1310	5	0	33	22	1335	5	6
					34	29	1314	10	0	33	21	1336	9	6
35	35	1272	18	0	34	28	1318	5	0	33	20	1339	19	6
35	34	1280	2	6	34	27	1321	9	0	33	19	1344	13	0
35	33	1286	12	0	34	26	1324	2	0	33	18	1350	12	6
35	32	1292	6	6	34	25	1325	2	0	33	17	1358	0	0
35	31	1297	8	0	34	24	1325	14	0	33	16	1366	6	6
35	30	1302	0	0	34	23	1326	2	6	33	15	1375	6	6
35	29	1306	1	6	34	22	1326	13	6	33	14	1384	8	0
35	28	1309	13	0	34	21	1327	16	0	33	13	1393	2	0
35	27	1312	14	0	34	20	1331	3	6	33	12	1401	2	0
35	26	1315	4	0	34	19	1335	15	0	33	11	1408	7	0
35	25	1316	1	6	34	18	1341	12	6	33	10	1414	17	0
35	24	1316	11	0	34	17	1348	17	0	33	9	1420	12	6
35	23	1316	17	6	34	16	1357	1	0	33	8	1425	13	6
35	22	1317	6	6	34	15	1365	18	6	33	7	1429	13	0
35	21	1318	7	0	34	14	1374	17	6	33	6	1432	3	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
33	5	1432	10	0	31	29	1335	4	0	30	19	1367	2	0
33	4	1430	6	0	31	28	1339	9	0	30	18	1373	8	0
33	3	1425	3	6	31	27	1343	2	6	30	17	1381	2	6
33	2	1416	12	6	31	26	1346	4	0	30	16	1389	16	0
33	1	1404	11	6	31	25	1347	12	0	30	15	1399	3	6
33	0	1391	11	0	31	24	1348	10	6	30	14	1408	12	0
					31	23	1349	6	0	30	13	1417	13	6
					31	22	1350	3	6	30	12	1426	0	6
32	32	1313	12	6	31	21	1351	12	0	30	11	1433	11	6
32	31	1319	5	6	31	20	1355	6	0	30	10	1440	8	0
32	30	1324	8	6	31	19	1360	4	0	30	9	1446	9	6
32	29	1329	0	6	31	18	1366	8	0	30	8	1451	16	0
32	28	1333	2	0	31	17	1374	0	0	30	7	1456	0	6
32	27	1336	12	6	31	16	1382	11	6	30	6	1458	15	0
32	26	1339	11	6	31	15	1391	16	6	30	5	1459	5	6
32	25	1340	16	6	31	14	1401	2	6	30	4	1457	4	0
32	24	1341	13	0	31	13	1410	2	0	30	3	1452	2	0
32	23	1342	6	6	31	12	1418	6	6	30	2	1443	11	0
32	22	1343	1	6	31	11	1425	15	6	30	1	1431	7	6
32	21	1344	8	0	31	10	1432	10	0	30	0	1418	4	6
32	20	1348	0	0	31	9	1438	9	0					
32	19	1352	15	6	31	8	1443	14	0					
32	18	1358	17	6	31	7	1447	16	6	29	29	1345	19	6
32	17	1366	7	0	31	6	1450	10	0	29	28	1350	10	6
32	16	1374	16	0	31	5	1450	19	0	29	27	1354	9	6
32	15	1383	18	6	31	4	1448	17	0	29	26	1357	17	0
32	14	1393	2	6	31	3	1443	15	0	29	25	1359	10	0
32	13	1401	19	0	31	2	1435	3	6	29	24	1360	13	6
32	12	1410	1	6	31	1	1423	1	0	29	23	1361	13	6
32	11	1417	8	6	31	0	1409	18	6	29	22	1362	15	0
32	10	1424	1	0						29	21	1364	7	6
32	9	1429	18	0						29	20	1368	6	0
32	8	1435	1	0						29	19	1373	8	6
32	7	1439	2	0	30	30	1335	18	6	29	18	1379	17	0
32	6	1441	14	0	30	29	1340	17	0	29	17	1387	13	6
32	5	1442	2	0	30	28	1345	5	0	29	16	1396	9	6
32	4	1439	19	0	30	27	1349	1	6	29	15	1405	19	6
32	3	1434	16	6	30	26	1352	6	0	29	14	1415	10	0
32	2	1426	5	6	30	25	1353	16	6	29	13	1424	14	0
32	1	1414	3	6	30	24	1354	17	6	29	12	1433	3	0
32	0	1401	2	0	30	23	1355	15	6	29	11	1440	16	0
					30	22	1356	15	0	29	10	1447	14	6
31	31	1325	2	0	30	21	1358	5	6	29	9	1453	17	6
31	30	1330	8	6	30	20	1362	1	6	29	8	1459	6	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
29	7	1463	12	0	27	24	1370	10	6	26	9	1472	8	6
29	6	1466	8	0	27	23	1371	15	0	26	8	1478	2	0
29	5	1466	19	6	27	22	1373	1	0	26	7	1482	12	6
29	4	1464	19	0	27	21	1374	17	6	26	6	1485	13	0
29	3	1459	18	0	27	20	1379	0	0	26	5	1486	8	0
29	2	1451	6	6	27	19	1384	6	6	26	4	1484	9	6
29	1	1439	3	0	27	18	1390	19	6	26	3	1479	10	0
29	0	1425	18	6	27	17	1399	0	0	26	2	1470	19	0
					27	16	1408	1	0	26	1	1458	14	0
					27	15	1417	15	0	26	0	1445	8	6
28	28	1355	4	6	27	14	1427	10	6					
28	27	1359	6	6	27	13	1436	18	6					
28	26	1362	16	6	27	12	1445	12	0	25	25	1375	2	6
28	25	1364	12	0	27	11	1453	9	0	25	24	1376	15	6
28	24	1365	18	0	27	10	1460	11	6	25	23	1378	4	0
28	23	1367	0	6	27	9	1466	18	0	25	22	1379	14	0
28	22	1368	4	0	27	8	1472	9	6	25	21	1381	14	6
28	21	1369	18	6	27	7	1476	19	0	25	20	1386	1	0
28	20	1373	19	0	27	6	1479	18	0	25	19	1391	11	6
28	19	1379	3	6	27	5	1480	11	6	25	18	1398	8	6
28	18	1385	14	0	27	4	1478	13	0	25	17	1406	13	6
28	17	1393	13	0	27	3	1473	12	6	25	16	1415	18	0
28	16	1402	11	6	27	2	1465	1	6	25	15	1425	16	6
28	15	1412	3	6	27	1	1452	16	6	25	14	1435	15	6
28	14	1421	16	6	27	0	1439	11	6	25	13	1445	7	6
28	13	1431	2	6						25	12	1454	4	6
28	12	1439	13	6						25	11	1462	5	6
28	11	1447	9	0	26	26	1370	19	6	25	10	1469	11	6
28	10	1454	9	6	26	25	1373	0	0	25	9	1476	1	0
28	9	1460	14	0	26	24	1374	10	6	25	8	1481	16	0
28	8	1466	4	0	26	23	1375	17	0	25	7	1486	8	0
28	7	1470	12	0	26	22	1377	5	0	25	6	1489	9	6
28	6	1473	9	6	26	21	1379	3	6	25	5	1490	6	0
28	5	1474	2	0	26	20	1383	8	0	25	4	1488	8	6
28	4	1472	2	6	26	19	1388	17	0	25	3	1483	9	6
28	3	1467	1	6	26	18	1395	11	6	25	2	1474	19	0
28	2	1458	10	0	26	17	1403	14	6	25	1	1462	14	0
28	1	1446	6	0	26	16	1412	17	6	25	0	1449	8	6
28	0	1433	1	0	26	15	1422	14	0					
					26	14	1432	11	6					
					26	13	1442	1	6	24	24	1378	10	6
27	27	1363	11	6	26	12	1450	16	6	24	23	1380	1	0
27	26	1367	4	6	26	11	1458	16	0	24	22	1381	13	0
27	25	1369	2	0	26	10	1466	0	0	24	21	1383	15	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
24	20	1388	4	0	23	2	1481	12	6	21	7	1499	4	6
24	19	1393	16	6	23	1	1469	8	0	21	6	1502	11	0
24	18	1400	15	0	23	0	1456	2	6	21	5	1503	11	0
24	17	1409	1	6						21	4	1501	17	6
24	16	1418	8	0						21	3	1497	1	6
24	15	1428	8	6	22	22	1385	3	6	21	2	1488	13	0
24	14	1438	9	6	22	21	1387	9	6	21	1	1476	9	0
24	13	1448	3	0	22	20	1392	1	6	21	0	1463	3	6
24	12	1457	1	6	22	19	1397	18	0					
24	11	1465	4	6	22	18	1405	0	0					
24	10	1472	11	6	22	17	1413	10	0	20	20	1399	7	6
24	9	1479	3	0	22	16	1423	0	0	20	19	1405	7	6
24	8	1484	19	6	22	15	1433	4	0	20	18	1412	13	6
24	7	1489	13	0	22	14	1443	8	6	20	17	1421	7	6
24	6	1492	15	6	22	13	1453	5	6	20	16	1431	1	6
24	5	1493	13	0	22	12	1462	7	0	20	15	1441	9	0
24	4	1491	16	6	22	11	1470	13	0	20	14	1451	17	6
24	3	1486	18	6	22	10	1478	3	6	20	13	1461	18	6
24	2	1478	8	0	22	9	1484	17	6	20	12	1471	3	6
24	1	1466	3	6	22	8	1490	16	6	20	11	1479	13	0
24	0	1452	18	0	22	7	1495	13	0	20	10	1487	6	6
					22	6	1498	18	0	20	9	1494	4	0
					22	5	1499	17	6	20	8	1500	6	0
23	23	1381	14	0	22	4	1498	3	0	20	7	1505	5	0
23	22	1383	7	6	22	3	1493	6	6	20	6	1508	13	0
23	21	1385	12	0	22	2	1484	17	6	20	5	1509	14	6
23	20	1390	2	6	22	1	1472	13	0	20	4	1508	2	0
23	19	1395	17	0	22	0	1459	7	6	20	3	1503	6	6
23	18	1402	17	0						20	2	1494	18	0
23	17	1411	5	6						20	1	1482	13	6
23	16	1420	14	0	21	21	1389	17	6	20	0	1469	8	0
23	15	1430	15	6	21	20	1394	11	6					
23	14	1440	18	6	21	19	1400	9	6					
23	13	1450	14	0	21	18	1407	13	6	19	19	1411	9	6
23	12	1459	14	0	21	17	1416	5	6	19	18	1418	17	6
23	11	1467	18	6	21	16	1425	17	0	19	17	1427	14	0
23	10	1475	7	0	21	15	1436	2	6	19	16	1437	10	0
23	9	1482	0	0	21	14	1446	9	0	19	15	1448	0	0
23	8	1487	17	6	21	13	1456	7	6	19	14	1458	10	6
23	7	1492	12	6	21	12	1465	11	0	19	13	1468	14	0
23	6	1495	16	6	21	11	1473	18	6	19	12	1478	1	6
23	5	1496	15	0	21	10	1481	10	6	19	11	1486	12	6
23	4	1494	19	6	21	9	1488	6	0	19	10	1494	8	6
23	3	1490	2	0	21	8	1494	6	6	19	9	1501	7	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
19	8	1507	11	6	17	5	1536	10	0	14	14	1509	0	6
19	7	1512	12	0	17	4	1534	19	6	14	13	1519	18	0
19	6	1516	1	0	17	3	1530	5	0	14	12	1529	19	0
19	5	1517	4	0	17	2	1521	16	0	14	11	1539	3	0
19	4	1515	12	0	17	1	1509	9	6	14	10	1547	11	0
19	3	1510	17	0	17	0	1496	1	0	14	9	1555	1	6
19	2	1502	8	6						14	8	1561	16	0
19	1	1490	3	6						14	7	1567	6	6
19	0	1476	17	0	16	16	1464	14	0	14	6	1571	3	6
					16	15	1475	12	0	14	5	1572	12	6
					16	14	1486	11	0	14	4	1571	4	6
18	18	1426	8	0	16	13	1497	2	0	14	3	1566	10	6
18	17	1435	6	6	16	12	1506	17	6	14	2	1558	0	0
18	16	1445	5	6	16	11	1515	16	0	14	1	1545	10	0
18	15	1455	18	0	16	10	1523	18	6	14	0	1531	16	6
18	14	1466	11	0	16	9	1531	4	0					
18	13	1476	16	6	16	8	1537	14	0					
18	12	1486	6	6	16	7	1543	0	0	13	13	1530	18	6
18	11	1495	0	0	16	6	1546	14	0	13	12	1541	2	6
18	10	1502	17	6	16	5	1548	0	0	13	11	1550	9	6
18	9	1509	19	0	16	4	1546	10	6	13	10	1559	0	0
18	8	1516	4	6	16	3	1541	16	0	13	9	1566	13	0
18	7	1521	7	0	16	2	1533	6	6	13	8	1573	10	0
18	6	1524	17	6	16	1	1520	19	0	13	7	1579	2	0
18	5	1526	1	6	16	0	1507	9	0	13	6	1583	1	6
18	4	1524	10	6						13	5	1584	11	6
18	3	1519	15	6						13	4	1583	4	6
18	2	1511	7	0	15	15	1486	13	0	13	3	1578	11	0
18	1	1499	1	6	15	14	1497	15	6	13	2	1569	19	6
18	0	1485	14	0	15	13	1508	9	6	13	1	1557	8	6
					15	12	1518	7	6	13	0	1543	13	6
					15	11	1527	9	0					
17	17	1444	8	0	15	10	1535	14	0					
17	16	1454	9	6	15	9	1543	2	0	12	12	1551	9	6
17	15	1465	4	6	15	8	1549	14	6	12	11	1560	19	6
17	14	1476	0	6	15	7	1555	2	6	12	10	1569	12	6
17	13	1486	9	0	15	6	1558	18	0	12	9	1577	8	0
17	12	1496	1	6	15	5	1560	5	6	12	8	1584	7	6
17	11	1504	17	0	15	4	1558	17	0	12	7	1590	1	6
17	10	1512	17	6	15	3	1554	2	6	12	6	1594	2	6
17	9	1520	0	6	15	2	1545	12	6	12	5	1595	14	6
17	8	1526	8	6	15	1	1533	3	6	12	4	1594	8	0
17	7	1531	12	6	15	0	1519	12	0	12	3	1589	15	0
17	6	1535	5	0						12	2	1581	3	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
12	1	1568	11	0	9	5	1623	18	6	6	0	1601	18	6
12	0	1554	14	6	9	4	1622	15	6					
					9	3	1618	4	0					
					9	2	1609	12	0	5	5	1644	15	0
11	11	1570	11	6	9	1	1596	17	6	5	4	1643	17	0
11	10	1579	7	6	9	0	1582	18	0	5	3	1639	8	6
11	9	1587	5	6						5	2	1630	19	0
11	8	1594	7	0						5	1	1618	5	0
11	7	1600	3	6	8	8	1619	3	6	5	0	1604	4	6
11	6	1604	6	6	8	7	1625	6	0					
11	5	1605	19	6	8	6	1629	14	6					
11	4	1604	14	6	8	5	1631	12	0	4	4	1643	0	0
11	3	1600	1	6	8	4	1630	10	0	4	3	1638	13	0
11	2	1591	10	0	8	3	1625	19	0	4	2	1630	4	6
11	1	1578	16	6	8	2	1617	7	6	4	1	1617	11	6
11	0	1564	11	6	8	1	1604	12	6	4	0	1603	12	6
					8	0	1590	12	6					
										3	3	1634	7	6
10	10	1588	6	0						3	2	1626	0	6
10	9	1596	6	6	7	7	1631	11	0	3	1	1613	9	6
10	8	1603	10	0	7	6	1636	1	0	3	0	1599	11	6
10	7	1609	9	0	7	5	1638	0	0	3				
10	6	1613	13	6	7	4	1636	19	6					
10	5	1615	8	0	7	3	1632	9	0					
10	4	1614	4	0	7	2	1623	18	0	2	2	1617	16	0
10	3	1609	11	6	7	1	1611	3	0	2	1	1605	7	0
10	2	1601	0	0	7	0	1597	2	0	2	0	1591	11	6
10	1	1588	6	0										
10	0	1574	7	0										
					6	6	1640	12	6	1	1	1593	1	0
					6	5	1642	13	0	1	0	1579	9	0
9	9	1604	9	6	6	4	1641	14	0					
9	8	1611	15	6	6	3	1637	4	6					
9	7	1617	16	0	6	2	1628	14	0	Birth	Birth	1566	0	0
9	6	1622	2	6	6	1	1615	19	0					

TABLE III.

The Values of an Annuity of £100 per Annum, for any
Number of Years, not exceeding 95.

Years.	Values.			Years.	Values.		
	£	s.	d.		£	s.	d.
1	96	3	0	49	2,134	2	6
2	188	12	0	50	2,148	4	0
3	277	10	0	51	2,161	14	6
4	362	19	6	52	2,174	15	0
5	445	3	6	53	2,187	5	0
6	524	4	0	54	2,199	5	6
7	600	4	0	55	2,210	17	0
8	673	5	0	56	2,221	19	6
9	743	10	6	57	2,232	13	0
10	811	1	6	58	2,242	19	0
11	876	0	6	59	2,252	16	6
12	938	10	0	60	2,262	6	6
13	998	11	0	61	2,271	9	6
14	1,056	6	0	62	2,280	5	6
15	1,111	16	6	63	2,288	14	6
16	1,165	4	6	64	2,296	17	0
17	1,216	11	0	65	2,304	13	0
18	1,265	18	6	66	2,312	3	6
19	1,313	7	6	67	2,319	8	0
20	1,359	0	6	68	2,326	7	0
21	1,402	18	0	69	2,333	0	6
22	1,445	2	0	70	2,339	9	0
23	1,485	13	6	71	2,345	12	6
24	1,524	13	6	72	2,351	11	0
25	1,562	4	0	73	2,357	5	0
26	1,598	5	6	74	2,362	15	0
27	1,632	19	0	75	2,368	0	6
28	1,666	6	0	76	2,373	2	0
29	1,698	7	0	77	2,377	19	6
30	1,729	4	0	78	2,382	13	6
31	1,758	16	6	79	2,387	4	0
32	1,787	7	0	80	2,391	10	6
33	1,814	15	0	81	2,395	14	0
34	1,841	2	0	82	2,399	14	0
35	1,866	9	0	83	2,403	11	6
36	1,890	16	6	84	2,407	5	6
37	1,914	5	0	85	2,410	17	0
38	1,936	15	6	86	2,414	5	6
39	1,958	8	6	87	2,417	11	6
40	1,979	5	6	88	2,420	14	6
41	1,999	6	0	89	2,423	15	6
42	2,018	11	0	90	2,426	14	6
43	2,037	1	6	91	2,429	10	6
44	2,054	17	6	92	2,432	5	0
45	2,072	0	0	93	2,434	17	0
46	2,088	9	0	94	2,437	7	0
47	2,104	5	6	95	2,439	15	6
48	2,119	10	0				

RULES

FOR INFERRING

The Value of an Annuity of £100 per Annum, held on the longest of Two Lives :

Also, The Value of an Annuity of £100 per Annum, held on the joint Continuance of Three Lives :

Also, The Value of an Annuity of £100 per Annum, held on the longest of Three Lives.

RULE for determining the Value of an Annuity of £100 per Annum, held on the longest of Two Lives.

THE Values of an Annuity of £100 per Annum held on each of the single Lives, to be added together, (from Table I.,) and from this Sum the Value of an Annuity held on the joint Continuance of the Two Lives (from Table II.) to be subtracted ; the Result is the Value of an Annuity of £100 per Annum, held on the longest of the Two Lives.

RULE for determining the Value of an Annuity of £100 per Annum, held on the joint Continuance of Three Lives.

THE Value of an Annuity of £100 per Annum on the joint Continuance of the Two elder Lives is to be found from Table II. The Age of a single Life of the same (or nearest) Value, with the Annuity on the said joint Lives, to be found from Table I. The Value of an Annuity of £100 per Annum on the joint Continuance of this Life and the younger Life from Table II., Five Pounds being deducted from this Sum, the Remainder is the Value of an Annuity of £100 per Annum held on the joint Continuance of the three Lives.

RULE for determining the Value of an Annuity of £100 per Annum, held on the longest of Three Lives.

THE Values of an Annuity of £100 per Annum for each of the Three single Lives to be extracted from Table I., and to be

be added together. The Value of an Annuity of £100 per Annum on the joint Continuance of the Two youngest Lives, also the Value of an Annuity of £100 per Annum on the joint Continuance of the Two eldest Lives, also the Value of an Annuity of £100 per Annum on the joint Continuance of the oldest Life and the youngest Life, (all found by Table II.,) to be subtracted from the Sum or Addition of the Annuities on the Three single Lives: To the Result is to be added the Value of an Annuity of £100 per Annum held on the joint Continuance of the Three Lives; the Amount is the Value of an Annuity of £100 per Annum on the longest of the Three Lives.

FURTHER RULE.

And in all Cases where the Annuity shall be for more than Three Lives, the same shall be valued as an Annuity for the Three youngest of such Lives: And where the Annuity shall be given for a longer Term of Years than Ninety-five Years, or in perpetuity, the same shall be valued as an Annuity for Ninety-five Years only.

CAP. LII.

An Act to extend the Time for constructing a new Street from Spitalfields to Shoreditch, and to amend the Acts relating thereto.—[4th August 1853.]

CAP. LIII.

An Act to amend the Laws relating to Bankruptcy in Scotland.—[4th August 1853.]

WHEREAS an Act was passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for regulating the Sequestration of the Estates of Bankrupts in Scotland*; and it is expedient that the said Act be in some respects altered and amended, and that further Provision be made for the due Management and more speedy Distribution of the Estates of Bankrupts under Sequestration in *Scotland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

2 & 3 Vict.
c. 41.

I. The

I. The Interim Factor, in place of being elected, as at present, shall be appointed by the Lord Ordinary by whom Sequestration shall be awarded, or by the Sheriff of the County, upon a Remit to that Effect by the Lord Ordinary; and such Interim Factor shall as soon as may be after his Appointment take possession of the Bankrupt's Estate and Effects, and of his Title Deeds, Books, Bills, Vouchers, and other Papers and Documents, and also make up an Inventory of such Estate and Effects, and a Valuation showing the estimated Value and the annual Rental or Revenue thereof; and every such Interim Factor shall find Caution for his Intromissions to such Amount as the Lord Ordinary, or the Sheriff, where such Factor shall be appointed by the Sheriff, shall fix; and on such Caution being so found and received such Interim Factor shall be entitled to act, and a certified Copy of the Interlocutor containing his Appointment shall be equivalent to a formal Extract thereof; and such Interim Factor shall be entitled to make such Arrangements for the carrying on of the Trade of the Bankrupt as he may think beneficial for the Estate.

Interim Factor to be named by the Lord Ordinary, and to take immediate Possession of Bankrupt's Estate.

II. The Deliverance awarding Sequestration shall appoint a Meeting of the Creditors, to be held at a specified Hour on a specified Day, being not earlier than Twelve nor later than Twenty-one Days from the Date of such Deliverance, to elect a Trustee or Trustees in succession, and Commissioners, and to do the other Acts provided by the said recited Act to be done at the Meeting for electing a Trustee.

Deliverance awarding Sequestration to appoint Meeting to elect Trustee.

III. It shall not be imperative upon the Lord Ordinary, when awarding Sequestration, to grant to the Debtor or Partners of the Company against whom or which Sequestration is awarded a Warrant of Protection against Arrest or Imprisonment for Civil Debt until the Meeting of the Creditors for the Election of Trustee, but the Lord Ordinary may, while awarding Sequestration, refuse to grant such Warrant of Protection; and every such Warrant of Protection which may be granted in any Sequestration that shall not be advertised in the *London* and *Edinburgh* Gazettes in Terms of the said recited Act within One Week after the Date of such Sequestration shall be ineffectual, and incapable of being pleaded in Bar of personal Diligence: Provided always, that, notwithstanding the Lord Ordinary shall refuse to grant Interim Warrant of Protection as aforesaid, it shall be competent to the Creditors, on the Occasion of their Meeting to elect a Trustee, or at the Meeting after the Examination of the Bankrupt, or at any Meeting called for the Purpose of receiving an Offer of Composition, to resolve that personal Protection ought to be granted to the Bankrupt for such Time as they may think fit,

Not to be imperative on Lord Ordinary to grant personal Protection.

and

and the Trustee shall thereupon apply to the Sheriff, who shall grant the Protection.

Deliver-
ance of
Sheriff as
to the
Election of
Trustee to
be final.

Trustee to
send Circu-
lar to Cre-
ditors men-
tioned in
the Bank-
rupt's
State of
Affairs.

Provisions
as to sepa-
rate Speci-
fication of
Interest,
&c. re-
pealed.

Errors in
framing
Oath and
Claim may
be cor-
rected.

Time for
Examina-
tion of
Bankrupt,
and for the
Meeting of
Creditors
thereafter.

Notice on
which
Meetings
may be

IV. The Deliverance of the Sheriff or Sheriff Substitute, declaring the Person or Persons elected to be Trustee or Trustees in succession shall be final, and in no Case subject to Review in any Court or in any Manner whatever.

V. It shall be the Duty of the Trustee, immediately after the Examination of the Bankrupt, to notify, by circular Letter transmitted through the Post Office to every Creditor mentioned in the State of Affairs which by the said recited Act is directed to be made up by the Bankrupt, the Period within which Claims should be lodged.

VI. All Provisions of the said recited Act requiring any Creditor to specify separately in his Oath or Claim for his Debt the Amount of any Interest due thereon, or of any Interest deducted therefrom, or to specify any accumulated Sum of Principal and Interest, are hereby repealed.

VII. Where it shall appear to the Sheriff or to the Trustee that the Oath and Claim of any Person, produced with a view to voting or to ranking and drawing a Dividend on the Sequestration, is not framed in the manner required by the said recited Act, the Sheriff or the Trustee, as the Case may be, shall call upon such Person, or his Procurator or Mandatory, to rectify his Oath and Claim pointing out to him wherein it is defective; and unless such Person shall thereupon make such Alteration upon his Oath and Claim, as may be necessary in order to rectify the same, the Sheriff or Trustee, as the Case may be, shall disallow or reject such Oath and Claim: Provided always, that where the Failure to comply with the Provisions of the said recited Act shall appear to have been made for some improper or fraudulent Purpose, or where Injury can be qualified by the other Creditors or any of them in respect thereof, it shall not be incumbent upon the Sheriff or Trustee to give such Person an Opportunity to rectify his Oath and Claim as aforesaid.

VIII. The Day to be fixed by the Sheriff for the examination of the Bankrupt shall be not sooner than Seven Days nor later than Fourteen Days from the Date of the Sheriff's Warrant for such examination; and the Meeting of Creditors appointed by the said recited Act to be held after the Examination of the Bankrupt shall be held on a Day not sooner than Seven Days nor later than Fourteen Days from the Day appointed for such Examination.

IX. Wherever it is by the said recited Act or by this Act directed that a Meeting of Creditors shall or may be called or held, a Notice of the Day, Hour, Place, and Purpose of the Meeting

Meeting shall be advertised in the *Edinburgh Gazette* Seven Days at least before the Day of the Meeting, in place of Fourteen Days, as at present; and such Meeting may be adjourned till the following Day. called,
shortened.

X. In place of the Times appointed by the said recited Act for Payment of Dividends, the Periods for Payment of Dividends shall be as follows; that is to say, where there are sufficient Funds realized, the First Dividend shall be payable on the First lawful Day after the Expiration of Six Months from the Date of Sequestration, and a Dividend shall always be payable on the First lawful Day after the Expiration of Three Months from the Date of the Payment of the immediately preceding Dividend, until the whole Funds of the Bankrupt be distributed, subject always to the Provisions in the said recited Act and in this Act contained: Provided always, that after the Second Dividend is made, a Majority of the Creditors, at any General Meeting called for the Purpose, may determine that Future Dividends shall be made after shorter Intervals, and the Affairs of the Estate brought to a more speedy Close; and even before the Period assigned for the First Dividend as aforesaid, it shall be competent to Three Fourths in Number and Value of the Creditors present at the Meeting after the Bankrupt's Examination, or at any after Meeting called for the Purpose, to direct the Trustee to apply to the Lord Ordinary or the Sheriff for Authority to make the First Dividend at an earlier Period than the Expiration of Six Months from the Date of the Sequestration, but not earlier than Four Months from such Date, if upon Cause shown it shall be found expedient so to do, and also to accelerate the Time for making the Second and other Dividends; and where the Lord Ordinary or the Sheriff shall, upon such application, accelerate the First or any subsequent Dividend, he shall also make the requisite Provision for the Acceleration of any other Matters which he may find it necessary to accelerate in consequence thereof. Provision
for Pay-
ment and
Acceler-
ation of
Dividends.

XI. To entitle any Creditor to Payment of the First Dividend, he shall produce, as directed by the said first-recited Act, his Oath and Grounds of Debt at least Two Months before the Time fixed for Payment of the First Dividend where such Time of Payment shall not have been accelerated, or One Month before the Time fixed for Payment of the First Dividend where such Time shall have been accelerated; and to entitle any Creditor to Payment of any of the subsequent Dividends, he shall produce, as aforesaid, his Oath and Grounds of Debt at least One Month before the Time fixed for Payment of the Dividend which he means to claim. Time for
lodging
Oaths and
Grounds
of Debt in
order to
Dividend.

XII. The

Time for
making up
State of
Bank-
rupt's Af-
fairs, and
of the
Trustee's
Intromis-
sions, &c.

XII. The State of the whole Estate of the Bankrupt, of the Funds recovered and outstanding, and of the Trustee's Intromissions and Management, directed by the said recited Act to be made up, shall be so made up immediately on the Expiration of Four Months from the Date of the Sequestration, in place of Six Months, as at present; and all Things directed by the said recited Act to be done by the Trustee, or Commissioners, or any other Person, within Fourteen Days after the Expiration of the said Six Months from the Date of the Sequestration, or within any Period calculated from the Expiration of the said Fourteen Days, shall be done within Fourteen Days after the Expiration of the said Four Months from the Date of the Sequestration, and within the like Period calculated from the Expiration of the said last-mentioned Fourteen Days respectively; and the Notice which by the said recited Act is directed to be given in the *Edinburgh Gazette* published next after the Expiration of the said first-mentioned Fourteen Days shall in lieu thereof be given in the *Edinburgh Gazette* published next after the Expiration of the said last-mentioned Fourteen Days.

Time for
making up
Scheme of
Division
by the
Trustee,
and State
of Affairs,
&c. in
order to
Second
Dividend.

XIII. The Scheme of Division directed by the said recited Act to be made up by the Trustee before the Expiration of Eight Months from the Date of the Sequestration shall be made up before the Expiration of Six Months from the said Date, and the State directed by the said recited Act to be made up by the Trustee on the Expiration of Ten Months from the Date of the Sequestration shall be made up on the Expiration of Seven Months from the said Date; and the Trustee shall, within Fourteen Days after the Expiration of the said Seven Months, exhibit the said State to the Commissioners, and thereupon such Procedure shall take place with reference to the said State, and to the Second Dividend, as is provided by the said recited Act.

Like pro-
cedure to
be follow-
ed on Oc-
casion of
subsequent
Dividends.

XIV. The like Procedure shall be followed out as to subsequent Dividends at similar Intervals of Time thereafter, in order that a Dividend may be made on the first lawful Day after the Expiration of every Three Months from the Day of the Payment of the immediately preceding Dividend, until the whole Funds of the Bankrupt shall be divided.

Where
Foreign
Creditor
lodges
Oath and
Grounds
of Debt at
any Time
previous to

XV. Where any Creditor not resident within *Great Britain* or *Ireland* at the Date of the Deliverance awarding Sequestration, or at any Time within Four Months thereafter, shall lodge his Oath and Grounds of Debt Fourteen Days previous to any Time fixed for Payment of a Dividend, though not in Time to entitle such Creditor to participate in such Dividend, the Trustee shall make such Deduction from the divisible Fund

Fund as shall be equal to the Dividend which would have been payable to such Foreign Creditor had his Oath and Grounds of Debt been timeously lodged and his claim been sustained ; and the Sum so deducted shall form Part of the Fund for Division on the Occasion of Payment of the next Dividend.

a Dividend though not in Time to participate in it, Fund to be laid aside.

XVI. The Bankrupt may, on the Expiration of Six Months from the Date of the Sequestration, in place of Eight Months, as at present, present a Petition to the Lord Ordinary or the Sheriff, to be finally discharged of all Debts contracted by him before the Date of the Sequestration, provided a Majority in Number and Four Fifths in Value of the Creditors who have produced Oaths concur in the Petition ; and the Bankrupt may also present such Petition on the Expiration of Twelve Months from the Date of the Sequestration, provided a Majority in Number and Two Thirds in Value of the said Creditors concur in the Petition ; and the Bankrupt may also present such Petition on the Expiration of Eighteen Months from the Date of the Sequestration, provided a Majority in Number and Value of the said Creditors concur in the Petition ; and the Bankrupt may also present such Petition on the Expiration of Two Years from the Date of the Sequestration, without any Consents of Creditors ; and the Lord Ordinary or the Sheriff, as the Case may be, shall, in each of the Cases aforesaid, order the Petition to be intimated in the *Edinburgh Gazette* ; and if, at the Distance of not less than Twenty-one Days from the Publication of such Intimation, and on Evidence being produced of Concurrence as aforesaid, there be no Appearance to oppose the same, the Lord Ordinary or the Sheriff, as the Case may be, shall pronounce a Deliverance finding the Bankrupt entitled to a Discharge ; but if Appearance be made by any of the Creditors, or by the Trustee, the Lord Ordinary or the Sheriff, as the Case may be, shall judge of any Objections against granting the Discharge, and shall either find the Bankrupt entitled to his Discharge, or refuse the Discharge, or defer the Consideration of the same for such Period as he may think proper, and may annex such Conditions thereto as the Justice of the Case may require : Provided always, that it shall not be competent for the Bankrupt to present a Petition for his Discharge, or to obtain any Consent of any Creditor to such Discharge, until the Trustee shall have prepared a Report with regard to the Conduct of the Bankrupt, and as to how far he has complied with the Provisions of the Statute, and in particular whether the Bankrupt has made a fair Discovery and Surrender of his Estate, and whether he has attended the Diets of Examination, and whether

Proceedings in Petition for Bankrupt's Discharge.

he has been guilty of any Collusion, and whether his Bankruptcy has arisen from innocent Misfortunes or Losses in Business, or from culpable or undue Conduct; and such Report shall be prepared by the Trustee, upon the Requisition of the Bankrupt, at any Time after the Expiration of Five Months from the Date of the Sequestration; and such Report shall be produced in the Proceedings for the Bankrupt's Discharge, and shall be referred to by its Date or by other distinct Reference in any Consent to his Discharge.

Accounts
for Law
Business
under
Sequestra-
tion to be
taxed.

XVII. All Accounts for Law Business incurred by the Trustee shall, before Payment thereof by the Trustee, be submitted for Taxation to the Auditor of the Court of Session, or to the Auditor of the Sheriff Court of the County in which the Bankrupt carried on his business, as may be directed by a General Meeting of the Creditors.

Interpre-
tation
Clause.

XVIII. All Words and Expressions used in the said recited Act, and in this Act shall, in construing this Act, be held to include the Meanings which they respectively include when used in the said recited Act.

CAP. LIV.

An Act to alter certain Duties of Customs.—[4th August 1853.]

WHEREAS it is expedient to alter the Duties of Customs imposed by any Act or Acts in force relating to the Customs upon the several Articles herein mentioned, and to allow certain Articles to be imported into the United Kingdom without Payment of Duty: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. The Duties of Customs now chargeable on the Articles under-mentioned imported into *Scotland* and *Ireland* shall cease and determine, and in lieu thereof the following Duties shall be charged from and after the Twenty-first Day of *April* One thousand eight hundred and fifty-three; viz.

Duties now
chargeable
on under-
mentioned
Articles to
cease, and
following
Duties to
be charged.

Spirits or Strong Waters, for every Gallon of such Spirits or Strong Waters, of any Strength not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz.

- — Spirits or Strong Waters, the Produce of any British Possession in America, not being sweet-

ened Spirits or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer :	£	s.	d.
If imported into Scotland . . . the Gallon	0	5	0
————— Ireland . . . the Gallon	0	3	8
——— Rum, the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act 4 Victoria, Chapter 8, have or shall have been fulfilled :			
If imported into Scotland . . . the Gallon	0	5	0
————— Ireland . . . the Gallon	0	3	8
——— Rum Shrub, however sweetened, the Produce of and imported from such Possessions, in regard to which the Conditions of the Act, Fourth Victoria, Chapter Eight, have or shall have been fulfilled, or the Produce of and imported from any British Possession in America :			
If imported into Scotland . . . the Gallon	0	5	0
————— Ireland . . . the Gallon	0	3	8

II. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise hereafter mentioned imported into the United Kingdom shall cease and determine on and after the First Day of *June* One thousand eight hundred and fifty-three; viz.

Agates or Cornelians, cut or manufactured.

Albumen.

Amber, Manufactures of, not enumerated.

Anchovies.

Aquafortis.

Bandstring Twist.

Barytes, Sulphate of, ground.

Bast Ropes, Twines, and Strands.

Blacking.

Books being of Editions printed prior to the Year 1801, bound or unbound.

Bran.

Brass, Powder of.

Bricks and Clinkers, Dutch and other Sorts.

Bronze Powder.

Brushes, Paint.

Buttons of Metal and other Sorts.

Cameos, not set.

Camphor, refined.

Cantharides.

Carmine.

Carriages of all Sorts.

Casks, empty.

Catlings.

Chalk, prepared or manufactured, and not otherwise enumerated.

Cider.

Citron, preserved in Salt.

Duties
chargeable
on Goods,
&c. here-
after men-
tioned im-
ported into
United
Kingdom
to cease on
June 1,
1853.

Cobalt, Oxide of.
 Corks, Fishermen's.
 Crayons.
 Crystal, cut or manufactured.
 Cucumbers, preserved in Salt.
 Elder Flower Water.
 Extract of Chesnut Bark and Wood.
 Quercitron Bark.
 Logwood.
 Safflower.
 Fish, viz.
 Eels.
 Turbot.
 of Foreign taking.
 Oysters.
 Salmon.
 Soles.
 Turtle.
 fresh, not otherwise enumerated.
 cured, not otherwise enumerated.
 Frames for Pictures, Prints, Drawings, or Mirrors.
 Furniture Woods, excepting Ash, Beech, Birch, Elm, Oak, Wainscot.
 Gauze of Thread.
 Gold, Leaves of.
 Gunpowder.
 Hair, Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool,
 and any other Material not particularly enumerated or otherwise
 charged with Duty.
 Hams of all kinds.
 Harp Strings or Lute Strings, silvered.
 Honey.
 Ink, Indian.
 Iron Wire.
 Rough Castings.
 Isinglass.
 Latten Wire.
 Mead or Metheglin.
 Meat, preserved in any other Manner than salted.
 Mercury, prepared.
 Metal, Leaf Metal.
 Naptha.
 Oil of Rosin.
 Olives.
 Orange Flower Water.
 Orsedew.
 Painter's Colours, manufactured.
 Pencils, of Slate and not of Slate.
 Perry.
 Phosphorous.
 Pickles, and Vegetables preserved in Salt.
 Pollard.
 Pomegranates.
 Pots, viz.
 Melting Pots for Goldsmiths.
 of Stone
 Rose Water.

Saccharum Saturni.
 Sausages or Puddings.
 Seed, viz.
 Canary.
 Carrot.
 Clover.
 Grass of all Sorts.
 Leek.
 Lucern.
 Mustard.
 Onion.
 Trefoil.
 All other Sorts not particularly enumerated or otherwise charged
 with Duty.

Silkworm Gut.

Skins. Articles manufactured of Skins or Furs.

Smalts.

Spectacles.

Spelter or Zinc; viz.

 Rods and Oxide of.

Stone and Slate, hewn.

 Marble, sawn into Slabs, or otherwise manufactured.

Tamarinds.

Tiles.

Tobacco Pipes of Clay.

Tongues.

Turpentine, of a greater value than 15s. per cwt.

 Oil or spirit of.

Twine.

Vanelloes.

Varnish, not otherwise described.

Verdigris.

Wafers.

Wax, Sealing.

Whipcord.

Waste Wood; viz.

 Billet Wood or Brush Wood, used for the Purpose of Stowage.

Yarn of Silk and Worsted, spun together and not dyed.

 Raw Worsted Yarn not dyed, or only partially dyed, and not being
 fit or proper for embroidering, or other fancy Purposes.

III. In lieu of the Duties of Customs now chargeable on Tea imported into the United Kingdom, the following Duties shall be charged on and after the First Day of *June* One thousand eight hundred and fifty-three :

Duties to
 be charged
 on Tea, on
 and after
 June 1,
 1853.

To 5th April 1854 inclusive.	From and after 5th April 1854 to 5th April 1855 inclusive.	From and after 5th April 1855 to 5th April 1856 inclusive.	From and after 5th April 1856.
£ s. d. 0 1 10 per Pound.	£ s. d. 0 1 6 per Pound.	£ s. d. 0 1 3 per Pound.	£ s. d. 0 1 0 per Pound.

Duties on
Goods, &c.
hereafter
mentioned
to cease on
and after
June 4,
1853.

IV. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise hereafter mentioned imported into the United Kingdom, shall cease and determine on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

Cables, not of Iron, new and old, tarred and untarred.

Coir Rope, Twine, and Strands.

Copper, Ore of.

Regulus of.

and Brass, old, fit only to be re-manufactured.

unwrought, viz. in Bricks or Pigs, Rose Copper, and all Cast Copper.

Part Wrought, viz. Bars, Rods, or Ingots, hammered or raised.

in Plates and Copper Coin.

or Brass Wire.

Cordage, tarred or untarred, including standing or running Rigging.

Glass: all Plate Glass, cast or rolled, of whatever Thickness, however small each Pane, Plate, or Sheet, whether silvered, polished, or rough.

painted or otherwise ornamented.

all White Flint Glass Bottles, not cut, engraved, or otherwise ornamented, and Beads and Bugles of Glass.

Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented.

Bottles of Glass covered with Wicker (not being Cut Glass), or of Green or common Glass.

Articles of Green or common Glass.

Manufactures, not otherwise enumerated or described, and old broken Glass, fit only to be re-manufactured.

Lead, Pig and Sheet.

Linen, or Linen and Cotton, viz.

Cambries and Lawns, commonly called French Lawns, whether plain or bordered.

Lawns of any Sort, not French.

Damasks and Damask Diaper.

Sails of all Sorts.

Mats and Matting.

Pictures.

Poultry and Game, alive or dead.

Tin; viz.

in Blocks, Ingots, Bars, or Slabs.

Truffles.

Verjuice.

Wire; viz.

Gilt, plated, Silver and Brass.

Yarn, Cable Yarn.

In lieu of
Duties now
charged on
Articles
under men-

V. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

		£	s.	d.	tioned, the
Apples, raw (not of British Possessions)	the Bushel	0	0	3	following
——— dried	the Bushel	0	1	0	to be
Butter (not of British Possessions)	the cwt.	0	5	0	charged on
Cheese (not of British Possessions) to be charged on the					and after
landing Weight	the cwt.	0	2	6	June 4,
Cocoa	the lb.	0	0	1	1853.
——— Husks and Shells	the lb.	0	0	0 $\frac{1}{2}$	
——— Paste and Chocolate	the lb.	0	0	2	
Nuts, small	the Bushel	0	1	0	
——— Walnuts	the Bushel	0	1	0	
Raisins	the cwt.	0	10	0	
Almonds, Jordan	the cwt.	0	10	0	
——— not Jordan, nor bitter	the cwt.	0	10	0	
——— Paste of	the lb.	0	0	2	
Arrow Root	the cwt.	0	0	4 $\frac{1}{2}$	
Barley, pearled	the cwt.	0	0	4 $\frac{1}{2}$	
Baskets, viz. :—					
Baskets corresponding with the Description					
commonly called Berlin	the Cubic Foot	0	0	7	
all others	the Cubic Foot	0	0	2	
Beads, Coral	the lb.	0	1	6	
——— Arango, Crystal, Jet, and other Sorts not enumerated or described	the lb.	0	0	2	
Brass, Manufactures of, not otherwise enumerated					
	the cwt.	0	10	0	
Brocade of Gold or Silver	the lb.	0	5	0	
Bronze, Manufactures of, not otherwise enumerated					
	the cwt.	0	10	0	
Candles, viz. :—					
Spermaceti	the cwt.	0	2	4	
Stearine, till the 5th of April 1858, unless the					
Duty upon Tallow shall be repealed at an					
earlier Time, in which Case this Duty shall					
be reduced to the same Rate as Tallow					
Candles	the cwt.	0	3	6	
Tallow	the cwt.	0	2	4	
Wax	the cwt.	0	2	4	
Canes, viz. :—					
Walking Canes or Sticks, mounted, painted, or					
otherwise ornamented	the 100	0	6	0	
Umbrella or Parasol Sticks	the 100	0	3	0	
Capers, including the Pickle	the lb.	0	0	1 $\frac{1}{2}$	
Cards, viz., Playing Cards	the dozen Packs	0	15	0	
Cassava Powder	the cwt.	0	0	4 $\frac{1}{2}$	
Cassia Lignea	the lb.	0	0	1	
Chicory, or other Vegetable Matter applicable to the					
uses of Chicory or Coffee, viz.					
raw or Kila-dried, until 10th October 1854 in-					
clusive	the cwt.	0	4	0	
from and after 10th October 1854					
roasted or ground	the lb.	0	0	4	
China Ware or Porcelain, painted or plain, gilt or orna-					
mented	the cwt.	0	10	0	
Cinnamon	the lb.	0	0	2	

Clocks, viz. :—		£	s.	d.
— not exceeding the value of 5s. each	the Dozen	0	4	0
— exceeding the value of 5s. and not exceeding the value of 12s. 6d. each	the Dozen	0	8	0
— exceeding the value of 12s. 6d. and not exceeding the value of 3l. each	each	0	2	0
— exceeding the value of 3l. and not exceeding the value of 10l. each	each	0	4	0
— exceeding the value of 10l. each	each	0	10	0
Cloves	the lb.	0	0	2
Coculus Indicus	the cwt.	0	5	0
Coffee, roasted or ground	the lb.	0	0	4
Comfits, dry, until 5th July 1854 inclusive	the lb.	0	0	2
— from and after 5th July 1854	the lb.	0	0	1½
Confectionery, until 5th July 1854 inclusive	the lb.	0	0	2
— from and after 5th July 1854	the lb.	0	0	1½
Copper, Manufactures of, not otherwise enumerated or described, and Copper Plates, engraved	the cwt.	0	10	0
Corks, ready made	the lb.	0	0	6
— squared for rounding	the cwt.	0	8	0
Dates	the cwt.	0	10	0
Dice	the Pair	1	1	0
Earthenware not otherwise enumerated or described	the cwt.	0	10	0
Feathers, dressed, viz. :—				
— Ostrich	the lb.	0	3	0
— Paddy Bird	the lb.	0	3	0
— not otherwise enumerated or described	the lb.	0	3	0
Flowers, Artificial, not made of Silk, per Cubic Foot as packed, no Allowance for Vacant Spaces	the Cubic Foot	0	12	0
— wholly or in part made of Silk	the Cubic Foot	0	12	0
Fruit, raw, not otherwise enumerated	the Bushel	0	0	2
Ginger, preserved, until 5th July 1854 inclusive	the lb.	0	0	2
— from and after 5th July 1854	the lb.	0	0	1½
Glass, viz. :—				
— any kind of Window Glass, White or Stained of One Colour only (except Plate or Rolled Glass), and Shades and Cylinders, until the 5th April 1855 inclusive	the cwt.	0	2	6
— from and after 5th April 1855 until 5th April 1857 inclusive	the cwt.	0	1	6
— from and after 5th April 1857		Free.		
— all Flint Cut Glass, Flint Coloured Glass, and Fancy Ornamental Glass, of whatever kind	the cwt.	0	10	0
Grapes	the Bushel	0	0	2
Hair Articles; Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material wholly or in part made up, not particularly enumerated or otherwise charged with Duty	for every 100l. Value	5	0	0
Hats or Bonnets, viz. :—				
— of Chip	the lb.	0	2	6
— of Bast, Cane, or Horse-hair	the lb.	0	2	6
— of Straw	the lb.	0	2	6

	£	s.	d.
Hats or Bonnets of Felt, Hair, Wool, or Beaver each	0	1	0
Hats of Silk or Silk Shag laid upon Felt, Linen, or other Material each	0	1	0
Iron and Steel, wrought or manufactured, viz. :—			
——— Machinery, wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel not enumerated the cwt.	0	2	6
——— fancy Ornamental Articles of Iron the cwt.	0	15	0
——— of Steel the cwt.	0	15	0
Jewels, Emeralds, and all other precious Stones, set for every 100 <i>l.</i> Value	10	0	0
Lead, Manufactures of, not otherwise enumerated the cwt.	0	2	0
Leather, viz., Boot Backs the Dozen Pairs	0	1	6
——— cut into Shapes the cwt.	0	10	0
Liquorice Paste (not of British Possessions) the cwt.	1	0	0
——— Powder (not of British Possessions) the cwt.	1	0	0
——— Root, until 5th April 1857 inclusive the cwt.	0	5	0
——— from and after 5th April 1857			Free.
Maccaroni the cwt.	0	1	0
Mace the lb.	0	1	0
Marmalade, until 5th July 1854 inclusive the lb.	0	0	2
——— from and after 5th July 1854 the lb.	0	0	1½
Medlars the Bushel	0	0	2
Musical Instruments, viz. :—			
——— Musical Boxes, small, not exceeding Four Inches in Length the Air	0	0	3
——— large the Air	0	0	8
——— Overtures or extra Accompaniments the Air	0	2	6
——— Pianofortes, horizontal grand each	3	0	0
——— upright or square each	2	0	0
——— Harmoniums or Seraphines, not exceeding Three Stops each	0	12	0
——— Four Stops, and not exceeding Seven Stops each	1	4	0
——— Eight Stops, and not exceeding Eleven Stops each	1	10	0
——— exceeding Eleven Stops each	2	0	0
——— Accordions, commonly called Chinese the 100 Notes	0	1	0
——— other Sorts, including Flutinas and common German square Concertinas the 100 Notes	0	5	0
——— Concertina of Octagon Form, not common German each	0	4	0
——— Brass Instruments, all Sorts the lb.	0	0	9
——— Musical Instruments, not otherwise enumerated or described for every 100 <i>l.</i> Value	10	0	0
Mustard Flour the cwt.	0	1	6
Nutmegs, except those commonly called wild the lb.	0	1	0
Nux Vomica the cwt.	0	2	0
Oil, viz. :—			
——— Almond the lb.	0	0	1

	£	s.	d.
Oil, Bays the lb.	0	0	1
— Essential Oil of Cloves the lb.	0	1	0
Onions the Bushel	0	0	1
Pears, raw the Bushel	0	0	3
— dried the Bushel	0	1	0
Percussion Caps the 1,000	0	0	1
Perfumery, not otherwise enumerated, and scented or fancy Soap the lb.	0	0	2
Pewter, Manufactures of, not otherwise enumerated, the cwt.	0	2	0
Pickles, preserved in Vinegar the Gallon	0	0	1
Pimento the cwt.	0	5	0
Plate, of Gold the oz. Troy	1	1	0
— of Silver, gilt or ungilt the oz. Troy	0	1	8
Platting, or other Manufactures of Straw, Chip, or other Materials to be used in, or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty the lb.	0	2	0
— Cordonet, single, and Twist of Straw or of other Materials the lb.	0	0	6
— Willow Squares the Dozen	0	0	1
Plums, commonly called French Plums, and Prunellos the cwt.	0	15	0
— dried or preserved (except in Sugar), not otherwise described the cwt.	0	15	0
— preserved in Sugar, until 5th July 1854 inclusive the lb.	0	0	2
— from and after 5th July 1854 the lb.	0	0	1½
Pomatum the lb.	0	0	2
Potato Flour the cwt.	0	0	4½
Powder, viz.:—			
— Hair Powder the lb.	0	0	2
— Perfumed the lb.	0	0	2
— not otherwise enumerated or described, that will serve the same Purpose as Starch the cwt.	0	0	4½
Prints and Drawings, plain or coloured, single . the lb.	0	0	3
— bound or sewn the lb.	0	0	3
— admitted under Treaties of International Copyright, single the lb.	0	0	1½
— bound or sewn the lb.	0	0	1½
Quassia the cwt.	0	1	0
Quinces the Bushel	0	0	3
Rice, not rough, nor in the Husk the cwt.	0	0	4½
— rough, and in the Husk the Quarter	0	0	9
Sago the cwt.	0	0	4½
Scaleboard the cwt.	0	1	0
Semolina the cwt.	0	0	4½
Ships, Foreign Ships, to be broken up with their Tackle, Apparel and Furniture (except Sails), for every 100l. Value	5	0	0
— broken up for every 100l. Value	5	0	0
Spa Ware the Cubic Foot	0	0	6
Spelter or Zinc, Manufactures of, not otherwise enumerated the cwt.	0	2	0

£ s. d.

Spirits, Cordials, or Strong Waters, not being the Produce of any British Possession in America, nor of any British Possession within the limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. Cap. 8. have or shall have been fulfilled, sweetened or mixed with any Article so that the Degree of Strength cannot be exactly ascertained by Sykes's Hydrometer, and Perfumed Spirits, to be used as Perfumery only . . . the Gallon			1	0	0
Starch the cwt.	0	0	4	$\frac{1}{2}$	
——— Gum of, torrified or calcined . . . the cwt.	0	0	4	$\frac{1}{2}$	
Succades, including all Fruits and Vegetables preserved in Sugar, until the 5th July 1854 inclusive . the lb.	0	0	2		
From and after 5th July 1854 . . . the lb.	0	0	1	$\frac{1}{2}$	
Tapioca the cwt.	0	0	4	$\frac{1}{2}$	
Tin Foil the cwt.	0	10	0		
Manufactures of Tin, and not otherwise enumerated . the cwt.	0	10	0		
Toys, viz. :—					
——— Marbles the cwt.	0	1	0		
——— all other Toys the Cubic Foot	0	0	4		
Turnery, not otherwise described . . . the Cubic Foot	0	0	4		
Varnish, containing any Quantity of Alcohol or Spirit . the Gallon	0	12	0		
Vermicelli the cwt.	0	1	0		
Vinegar the Gallon	0	0	3		
Washing Balls the lb.	0	0	2		
Water, Cologne Water, the Flask (Thirty of such Flasks containing not more than One Gallon) each	0	0	8		
——— When not in Flasks (as perfumed Spirits) . the Gallon	1	0	0		

VI. In lieu of the present *ad valorem* Rates of Duties of Customs charged upon the Importation into the United Kingdom of the under-mentioned Articles as not being enumerated in the Tariff, the following Duties of Customs shall be charged thereon on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

Biscuit and Bread the cwt.	0	0	4	$\frac{1}{2}$	In lieu of present <i>ad valorem</i> Duties on Articles under-mentioned, the following shall be charged on and after June 4, 1853.
Caoutchouc or Indian Rubber, Manufactures of, the lb.	0	0	4		
Coral Negligées the lb.	0	1	0		
Daguerreotype Plates the lb.	0	0	3		
Fig Cake the cwt.	0	15	0		
Gutta Percha, Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing . the cwt.	0	5	0		
——— Articles moulded the lb.	0	0	2		
Lucifers of Wood in Boxes containing not more than 100 Matches . . . the Gross of Boxes	0	0	2		
——— in Boxes containing more than 100 Matches . the Gross of Boxes	0	0	3		
——— Vesta of Wax, in Boxes not exceeding 1000 Matches . . . the Dozen Boxes	0	0	6		
——— in Boxes exceeding 1000 Matches . the 1000 Matches	0	0	0	$\frac{1}{2}$	

	£	s.	d.
Mandioca Flour the cwt.	0	0	4½
Manna Croup the cwt.	0	0	4½
Mustard, mixed or manufactured, except Flour, the cwt.	0	5	0
Oil Cloth, for Table Covers . . . the Square Yard	0	0	1
Salacine the oz.	0	0	3
Sauces, not otherwise enumerated . . . the lb.	0	0	1
Soy the Gallon	0	0	6
Sterine, till the 5th of April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case this Duty shall then cease . . . the cwt.	0	3	6
After the 5th of April 1858	Free.		
Veneers the cwt.	0	1	0

In lieu of Duties charged on a certain Article, the following shall be charged on and after June 8, 1853 ;

VII. In lieu of the Duties of Customs now chargeable on the Article under-mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Eighth Day of *June* One thousand eight hundred and fifty-three ; viz.

Eggs not of British Possessions	the 120	0	0	4
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on certain other Articles the following Duties to be charged on and after June 12, 1853 ;

VIII. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Twelfth Day of *July* One thousand eight hundred and fifty-three ; viz.

Soap, not being scented or fancy ; viz.

—— Hard	the cwt.	0	0	8
—— Soft	the cwt.	0	0	8
—— Naples	the cwt.	0	0	8

and on certain other Articles the following Duties to be charged on and after June 11, 1853.

IX. In lieu of the Duties of Customs now chargeable on the Articles under-mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Eleventh Day of *June* One thousand eight hundred and fifty-three ; viz.

Oranges and Lemons	the Bushel	0	0	8
Books, being of Editions printed in or since the Year 1801, bound or unbound	the cwt.	1	10	0
—— admitted under Treaties of International Copyright, or if of and from a British Possession, ...	the cwt.	0	15	0
Cherries, raw	the Bushel	0	0	2
—— dried, until 5th July 1854 inclusive	the lb.	0	0	2
—— ditto, from and after 5th July 1854	the lb.	0	0	1½
Cotton Manufactures, viz.				
—— Fringe	the lb.	0	0	2
—— Gloves, of Cotton or Thread, ...	the dozen Pairs	0	0	3
—— Stockings, of Cotton or Thread, the dozen Pairs		0	0	6
—— Socks, or half Hose of Cotton or Thread, ...	the dozen Pairs	0	0	3

		£	s.	d.
Cotton Manufactures— <i>continued</i> .				
Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty for every 100 <i>l</i> . Value		5	0	0
Embroidery and Needlework, viz.				
Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof . . . the lb.		0	10	0
Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof, . . . the lb.		0	8	0
Curtains, commonly called Swiss, embroidered on Muslin or Net . . . the lb.		0	1	0
All other Embroidery not enumerated for every 100 <i>l</i> . Value		10	0	0
of and from British Possessions for every 100 <i>l</i> . Value		5	0	0
Lace and Articles thereof, viz.				
Mohair or Worsted . . . the lb.		0	1	0
Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width . . . the lb.		1	0	0
Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), exceeding One Inch in Width . . . the lb.		2	0	0
Silk Lace, Pillow and Application, not being Saxon Wire Ground Lace . . . the lb.		1	10	0
Silk Saxon Wire Ground Lace, and all Lace known as Maltese . . . the lb.		0	8	0
Brussels Point and other Lace made by the Hand, not otherwise charged with Duty for every 100 <i>l</i> . Value		10	0	0
Linen, or Linen and Cotton Manufactures, viz.				
Cambric Handkerchiefs, hemmed or hemstitched, not trimmed . . . the Doz.		0	2	6
Stays . . . the dozen Pairs		0	4	0
Articles, Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty for every 100 <i>l</i> . Value		5	0	0
Mill Boards . . . the lb.		0	0	2½
Paper, viz.				
Brown Paper made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith . . . the lb.		0	0	2½
Printed, painted, or stained Paper or Paperhangings or Flock Paper . . . the Square Yard		0	0	1
Waste Paper, or Paper of any other Sort not particularly enumerated or described, not otherwise charged with Duty . . . the lb.		0	0	2½
Pasteboard . . . the lb.		0	0	2½
Silk Manufactures, being				
Velvet, the Produce of Europe, plain or figured : . . . the lb.		0	9	0
Broad Stuffs . . . the lb.				
the Foundation of which is wholly composed of Cotton, or other Materials than Silk . . . the lb.		0	3	0

Silk— <i>continued</i> .		£	s.	d.
— Velvet, Ribbons of Velvet, or Silk embossed with Velvet,	the lb.	0	10	0
— the Foundation of which is wholly composed of Cotton, or other Materials than Silk,	the lb.	0	3	6
— Manufactures of Silk, or of Silk mixed with any other Materials, the Produce of Europe, called Plush	the lb.	0	3	0
— Black Plush, commonly used for making Hats	the lb.	0	1	0
— Parasols and Umbrellas	each	0	1	0
— Damask of Silk and Wool or other Materials, for Furniture	the lb.	0	0	10
— China	the running Yard	0	0	8
— Corahs, Choppahs, Bandannas, and Tussore Cloths; viz.				
in Pieces not exceeding $5\frac{1}{4}$ Yards in Length	the Piece	0	0	4
exceeding $5\frac{1}{4}$ and not exceeding $6\frac{1}{4}$ Yards	the Piece	0	0	6
$6\frac{1}{4}$ and not exceeding $7\frac{1}{4}$ Yards	the Piece	0	0	8
$7\frac{1}{4}$ and not exceeding $8\frac{1}{4}$ Yards	the Piece	0	0	9
$8\frac{1}{4}$ and not exceeding $9\frac{1}{4}$ Yards	the Piece	0	0	10
and for every additional Yard in Length	the Yard	0	0	$1\frac{1}{2}$
— China Crape Shawls, plain and damask	the lb.	0	3	0
— embroidered	the lb.	0	5	0
— Pongees, in Pieces not exceeding 15 Yards in Length	the Piece	0	2	0
exceeding 15 Yards and not exceeding 21 Yards in Length	the Piece	0	3	0
exceeding 21 Yards and not exceeding 31 Yards in Length	the Piece	0	5	0
— Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length	the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length	the Piece	0	3	0
Watches of Gold, Silver, or any other Metal, exceeding the Value of £10 each	each	1	0	0
— other Watches, viz.				
— Gold, open Faces	each	0	5	0
— Hunters	each	0	7	6
— Repeaters	each	0	15	0
— Silver, or any other Metal not Gold:				
— open Faces	each	0	2	6
— Hunters	each	0	3	6
— Repeaters	each	0	8	0
Woollens, Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, viz.				
— Carpets and Rugs	the Square Yard	0	0	6
— Shawls, Scarfs, and Handkerchiefs, plain and not printed	the lb.	0	0	4

Woollens— <i>continued.</i>		£	s.	d.
Printed	the lb.	0	0	8
Gloves	the dozen Pairs	0	0	3
Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty for every 100 <i>l.</i> Value		5	0	0

X. In lieu of the present *ad valorem* Rates of Duties of Customs charged upon the Importation into the United Kingdom of the under-mentioned Articles as not being enumerated in the Tariff, the following Duties of Customs shall be charged thereon on and after the Eleventh Day of *June* One thousand eight hundred and fifty-three; viz.

Paper, gilt, stained, coloured, embossed, and all fancy

Kinds, not being Paper-hangings the lb. 0 0 2½

XI. The Duties of Customs chargeable upon the Goods hereafter mentioned, imported into the United Kingdom, shall cease and determine on and after the Twenty-third Day of *June* One thousand eight hundred and fifty-three; viz.

Flock for Paper Stainers.

XII. On and after the Fifth Day of *July* One Thousand eight hundred and fifty-three so much of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and one, Section Three, as provides that the Allowance commonly called Draft, then made by the Commissioners of Excise in the weighing of Tea, should be made by the Commissioners of Customs under the Authority of the said Act, shall be and the same is hereby repealed; and the Allowance of One Pound for Draft on each Chest of Tea exceeding Twenty-eight Pounds in Weight now made by the Commissioners of Customs under the Authority of the said Act shall cease and determine upon all Tea which shall arrive and be reported at the Custom House of any Port in the United Kingdom on and after the Fifth Day of *July* One thousand eight hundred and fifty-three.

XIII. The Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, and allowed and applied or appropriated, under the Provisions of any Act or Acts now in force or hereafter to be made relating to the Customs.

In lieu of present *ad valorem* Duties on Articles under-mentioned the following shall be charged on and after *June* 11, 1853.

Duties charged on certain Goods to cease on *June* 23, 1853.

So much of 3 & 4 W. 4. c. 101. s. 3. as allows certain Draft on weighing Tea repealed.

Duties to be under the Management of Commissioners of Customs.

CAP. LV.

An Act to make better provision for the efficient Discharge of the Duties of the Taxing Officer in and for the Common Law Business in Ireland.—[4th August 1853.]

CAP. LVI.

CAP. LVI.

An Act to facilitate the Redemption of certain Charges on the Hereditary Possessions and Land Revenues of the Crown, and to make other Provisions in regard to the Management of such Hereditary Possessions and Land Revenues.—[4th August 1853.] (England and Ireland.)

CAP. LVII.

An Act to explain and amend the Copyhold Acts.—[4th August 1853.] (England.)

CAP. LVIII.

An Act to authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of Dublin, and to remove Doubts as to the Rate Books for the Purposes of such Registry.—[4th August 1853.]

CAP. LIX.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to amend the Laws relating to Stamp Duties, and to make perpetual certain Stamp Duties in Ireland.—[4th August 1853.]

WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several Instruments, Matters, and Things, mentioned or described in the Schedule to this Act annexed, and to impose other Stamp Duties in lieu thereof; and it is also expedient to amend the Laws relating to the Stamp Duties: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu.

I. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described (otherwise than by way of Exception) in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall

shall be and the same are hereby repealed; and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, Directions, and Exemptions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith or exempted therefrom shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear date before or upon the Tenth Day of *October* One thousand eight hundred and fifty-three.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by, and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force.

Stamps denoting the Duty of One Penny on Receipts and Drafts may be impressed or affixed.

Where adhesive Stamps are used to denote the Duties on Receipts, Drafts, or Orders, the Stamps to be cancelled by writing the Name on it.

Penalty for committing Frauds in the Use of adhesive Stamps.

In case of any Insurance for Lives, a Stamp Policy to be made out.

III. The Duties of One Penny by this Act granted on Receipts and on Drafts or Orders for the Payment of Money respectively may be denoted either by a Stamp impressed upon the Paper whereon any such Instrument is written or by an adhesive Stamp affixed thereto, and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties.

IV. In any Case where an adhesive Stamp shall be used for the Purpose aforesaid on any Receipt or upon any Draft or Order respectively chargeable with the Duty of One Penny by this Act, the Person by whom such Receipt shall be given or such Draft or Order signed or made shall, before the Instrument shall be delivered out of his Hands, Custody, or Power, cancel or obliterate the Stamp so used, by writing thereon his Name or the Initial Letters of his Name so and in such a Manner as to show clearly and distinctly that such Stamp has been made use of, and so that the same may not be again used; and if any Person who shall write or give any such Receipt or Discharge or make or sign any such Draft or Order with any adhesive Stamp thereon, shall not *bonâ fide* in manner aforesaid effectually cancel or obliterate such Stamp, he shall forfeit the Sum of Ten Pounds.

V. If any Person shall fraudulently get off or remove or cause or procure to be gotten off or removed, from any Paper whereon any Receipt or any Draft or Order shall be written, any adhesive Stamp, or if any Person shall affix or use any such Stamp which shall have been gotten off or removed from any Paper whereon any Receipt or any Draft or Order shall have been written, to or for any Receipt, Draft, or Order, or any Paper whereon any such Receipt, Draft, or Order shall be or be intended to be written; or if any Person shall do or practise or be concerned in any fraudulent Act, Contrivance, or Device whatever, not specially provided for by this or some other Act of Parliament, with Intent or Design to defraud Her Majesty, Her Heirs or Successors, of any Duty by this Act granted upon Receipts or upon Drafts or Orders, every Person so offending in any of the said several Cases shall forfeit the Sum of Twenty Pounds.

VI. For better securing the Stamp Duties by Law chargeable on Policies of Insurance upon Lives, and for preventing Frauds in respect of any such Insurances:

Every Person who shall make or agree to make, or shall receive any Premium or valuable Consideration for making any Assurance or Insurance upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives, shall, within One Calendar Month after the

the Payment or giving of any such Premium or Consideration, make out and sign or execute, or cause and procure to be made out and signed or executed upon Vellum, Parchment or Paper, duly stamped, a Policy of such Assurance or Insurance, and have the same ready to be delivered to the Party entitled thereto, and shall upon Demand made by any such Party, or any Agent in that Behalf duly authorized, deliver the same to him, or in default in any of the Cases aforesaid shall forfeit the Sum of Fifty Pounds:

Every Person who at the Time of the Payment or giving of any such Premium or Consideration shall be a Managing Director of or the Secretary to or other Principal Officer of any Society or Company receiving any such Premium or Consideration, shall be deemed to be a Person making or agreeing to make such Assurance or Insurance, and shall be subject and liable to the Penalty by this Act imposed for any such Default as aforesaid.

Officers of Insurance Companies to be answerable for Default.

VII. Whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, certain Stamp Duties are imposed on any Articles of Clerkship or Contract whereby any Person shall first become bound to serve as a Clerk in order to his Admission as an Attorney or Solicitor in any Court; that is to say, in order to Admission in any of the Courts at *Westminster*, the Stamp Duty of One hundred and Twenty Pounds, and in order to Admission in any of the Courts of the Counties Palatine, the Stamp Duty of Sixty Pounds: And whereas where any Person has become bound and has served as a Clerk under any such Articles or Contract stamped with the said Duty of Sixty Pounds in order to his Admission as an Attorney or Solicitor in any of the Courts of the Counties Palatine, he is capable of being admitted in any of Her Majesty's Courts at *Westminster*, but only upon the Payment of the further Stamp Duty of One hundred and twenty Pounds; and it is expedient to afford Relief in such Cases:

Articles of Clerkship to Attorneys of the County Palatine Courts may be stamped for Admission of the Clerk into Superior Courts on Payment of the additional Duty only.

Where any Person shall have become bound as a Clerk in order to his Admission as an Attorney or Solicitor in any of the Courts of the Counties Palatine by Articles or Contract stamped with the said Duty of Sixty Pounds, then upon Payment of such further Sum of Money as with the said Duty of Sixty Pounds will make up the full Stamp Duty which, at the Date of such Articles or Contract, was payable by Law on Articles of Clerkship in order to Admission in any of the Courts at *Westminster*, it shall be lawful for the Commissioners of Inland Revenue and they are hereby required to stamp the said Articles or Contract with a Stamp or Stamps to denote such further

further Duty, and thereupon such Articles or Contract shall be as valid and effectual for entitling such Person to Admission in any of the Courts at *Westminster* as if the same had been duly stamped with such full Duty in the first instance.

VIII. And whereas by an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, Chapter One hundred and forty-nine, Section Thirty-eight, Persons intronitting with or entering upon the Possession or Management of any Personal or Moveable Estate or Effects in *Scotland* of any Person dying, are required to exhibit a full and true Inventory, duly stamped, to be recorded as in the said Act is provided, of all the Personal or Moveable Estate and Effects of the Deceased already recovered or known to be existing; and if at any subsequent Period a Discovery shall be made of any other Effects belonging to the Deceased, an additional Inventory of the same is in like Manner to be exhibited and recorded; and every such additional Inventory is chargeable by Law with the full *ad valorem* Stamp Duty payable in respect of the total Amount or Value of the Estate and Effects specified therein, and in any such former Inventory; and thereupon the Party exhibiting the same is entitled to receive back the Amount of the Stamp Duty paid on such former Inventory; and it is expedient to prevent the Inconvenience attending the Overpayment of the Stamp Duty in such Cases by charging on any such additional Inventory the deficient Stamp Duty only:

Additional
Inven-
tories in
Scotland
to be
chargeable
with addi-
tional Duty
only.

Every such additional Inventory to be made and recorded as aforesaid shall be chargeable only with such Amount of Stamp Duty as, together with the Stamp Duty charged upon any former duly stamped Inventory of the Estate and Effects of the same deceased Person already exhibited and recorded, shall make up the full Amount of Stamp Duty chargeable by Law in respect of the total Amount or Value of all the Estate and Effects of the said deceased specified in the said additional and any such former Inventory.

Licences to
perform
Divine Ser-
vice in cer-
tain Cases
free from
Stamp
Duty.

IX. No Licence granted to any Spiritual Person to perform Divine Service in any Building approved by the Bishop in lieu of any Church or Chapel whilst the same is under Repair or is rebuilding, or in any Building so approved for the Convenience of the Inhabitants of a Parish resident at a Distance from the Church or consecrated Chapel, shall be chargeable with any Stamp Duty.

X. And whereas by the said Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, it is provided that where any Property is sold and conveyed subject to any Debt or Sum of Money to be afterwards paid by the Purchaser, the same shall be deemed to be Purchase or Consi-
deration

deration Money in respect whereof the said *ad valorem* Duty charged upon the Sale and Conveyance of Property is to be paid: And whereas it has been held and determined that the said *ad valorem* Duty is payable in respect of any such Sum or Debt only where the Purchaser is personally liable or bound, or undertakes or agrees to pay the same or to indemnify the Vendor against the same; and it is expedient to alter and amend the Law in this respect:

Where any Lands or other Property shall be sold and conveyed subject to any Mortgage, Wadset, or Bond, or other Debt, or to any gross or entire Sum of Money, such Sum of Money or Debt shall be deemed the Purchase or Consideration Money, or Part of the Purchase or Consideration Money, as the Case may be, in respect whereof the said *ad valorem* Duty shall be paid, notwithstanding the Purchaser shall not be or become personally liable or shall not undertake or agree to pay the same or to indemnify the Vendor or any Person against the same, anything in any Act or otherwise to the contrary notwithstanding.

XI. And whereas it has been adjudged and determined by Law that upon the Sale of Property, where the Consideration expressed in the Conveyance is a Rentcharge or an Annuity made subject to Redemption or Repurchase, *ad valorem* Stamp Duty is chargeable under the Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-seven, only where such Redemption or Repurchase may be enforced at the Option of the Vendor, and it is expedient that such Duty should be chargeable in all Cases where such Rentcharge or Annuity is made redeemable:

In any Case where Property shall be sold and conveyed in consideration of any Rentcharge or Annuity, or any annual or periodical Payment to be made permanently or for any indefinite Period, so that the total Amount of the Money to be paid for such Property cannot be previously ascertained, which Rentcharge, Annuity, or other Payment shall be made subject to Redemption or Purchase upon Terms and Conditions specified in the Deed or Instrument whereby the Property sold shall be conveyed to or vested in the Purchaser, or any Person by his Direction, the Money or the Consideration mentioned in the said Deed or Instrument as that on Payment or Transfer, Delivery, or Satisfaction, of which the said Rentcharge, Annuity, or other Payment shall be redeemed or purchased or repurchased, or shall cease to be payable, shall be deemed to be the Purchase Money or Consideration on the Sale of the said Property so sold and conveyed, and in respect of which last-mentioned

Where Property is sold subject to any Mortgage, the Mortgage Money to be deemed Part of the Purchase Money, whether agreed to be paid by the Purchaser or not.

13 & 14
Vict. c. 97.

Where Property is sold in consideration of a redeemable Annuity, the Redemption Money to be deemed Purchase Money.

last-mentioned Purchase Money or Consideration the *ad valorem* Duty shall be chargeable; and where any such last-mentioned Consideration shall consist wholly or in part of any Stock or Security mentioned in the said Act, the Value thereof shall be ascertained as in such Act is in that Behalf provided; and where any such Annuity, Rentcharge, or other Payment aforesaid shall be made subject to Redemption or Purchase or Repurchase or Discontinuance upon Payment or Satisfaction of any Money or Value to be ascertained or calculated in manner provided in the said Deed or Instrument, the Amount of such Money or Value shall, for the Purpose of charging the said *ad valorem* Duty, be ascertained or calculated as in such Deed or Instrument shall be so provided.

XII. And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-seven, a Stamp Duty of Five Shillings was granted and imposed upon the Duplicate or Counterpart of any Deed or Instrument chargeable with Stamp Duty (exclusive of progressive Duty) to the Amount of Five Shillings or upwards; and it is provided that in such Case the Duplicate or Counterpart shall not be available unless stamped with a particular Stamp for denoting or testifying the Payment of the full and proper Stamp Duty on the original Deed or Instrument; and it is expedient to dispense with the said particular Stamp on Counterparts of Leases:

Counter-
parts of
Leases not
required to
be im-
pressed
with the
denoting
Stamp.

Notwithstanding anything contained in the said Act the Counterpart of any Lease of Lands, Tenements, or Hereditaments, being duly stamped with the said Stamp Duty of Five Shillings, or any higher Stamp Duty (exclusive of progressive Duty), and not being executed or signed by or on the Behalf of any Lessor or Grantor, shall be available as a Counterpart without being stamped with a particular Stamp for denoting or testifying the Payment of the Stamp Duty chargeable on the original Lease.

XIII. And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, when any Deed or Instrument shall be presented to the Commissioners of Inland Revenue, and the Fee of Ten Shillings shall be paid to them for their Opinion as to the Stamp Duty with which such Deed or Instrument in their Judgment is chargeable, the said Commissioners are required to assess and charge the Stamp Duty on such Deed or Instrument, and, on the same being duly stamped, to impress thereon a particular Stamp to signify and denote that the full Amount of Stamp Duty with which such Deed or Instrument is by Law chargeable has been paid: And whereas the said Commissioners are not authorized to impress a particular Stamp upon any Deed or Instrument not chargeable

chargeable with any Stamp Duty in order to denote that the same is not so chargeable; and it is expedient that Provision should be made for that Purpose:

It shall be lawful for any Person to present to the said Commissioners any Deed or Instrument, and upon Payment of the Fee of Ten Shillings, as in the said Act is mentioned, to require their Opinion whether or not the same is chargeable with any Stamp Duty, and if the said Commissioners shall be of opinion that such Deed or Instrument is not chargeable with any Stamp Duty, it shall be lawful for them and they are hereby required to impress thereon a particular Stamp, to be provided by them for that Purpose, with such Word or Words, or Device or Symbol thereon as they shall think proper in that behalf, which shall signify and denote that such Deed is not chargeable with any Stamp Duty; and every such Deed or Instrument upon which the said Stamp shall be impressed shall be deemed to be not so chargeable, and shall be receivable in Evidence in all Courts of Law and Equity, notwithstanding any Objection made to the same as being chargeable with Stamp Duty, and not stamped to denote the same: Provided always, that if the said Commissioners shall assess and charge any Stamp Duty upon or in respect of any such Deed or Instrument, and the Party presenting the same and paying such Duty shall declare himself dissatisfied with their Determination, it shall be lawful for him to appeal against the same to Her Majesty's Court of Exchequer, on the Terms and in the Manner in the said Act provided; and the said Court shall hear and determine the Appeal, and decide whether the said Deed or Instrument is chargeable with any, and if any, what Stamp Duty; and if the Court shall be of opinion that the same is not so chargeable, or is chargeable with a less Amount of Duty than shall have been assessed and charged thereon, then the Amount of such Duty or of the Excess (as the Case may be) shall be returned to the Appellant, together with the Sum deposited as in the said Act mentioned; and if the Court shall be of opinion that any further Duty is chargeable on the said Deed or Instrument, such further Duty shall be paid to the said Commissioners, and the Court shall order and enforce the Payment thereof accordingly.

Commissioners may adjudge Deeds not liable to Stamp Duty.

Appeal from the Determination of the Commissioners.

XIV. And whereas it would facilitate the Transfer of the Bonds and Mortgages given by Public Companies under the Provisions of Acts of Parliament as Securities for Money which such Companies are by the said Acts expressly empowered or authorized to borrow, if the Transfers or Assignments of such Bonds or Mortgages were endorsed thereon, and were exempted from Stamp Duty, and it is expedient to grant such Exemption in consideration of a Composition Stamp Duty being paid on such

such Bonds and Mortgages on the original making and issuing thereof, in lieu of the Stamp Duty with which such Transfers or Assignments would otherwise be chargeable :

Transfers of Bonds and Mortgages of Public Companies exempted from Stamp Duty on Payment of a Composition.

Where on the original making and issuing of any such Bond or Mortgage as aforesaid, and before any Transfer or Assignment thereof, the same shall be stamped with an Amount of Stamp Duty equal to Three Times the Amount of the *ad valorem* Stamp Duty chargeable thereon by Law, and over and above the said *ad valorem* Duty, then every Transfer or Assignment thereafter made of such Bond or Mortgage by Endorsement thereon shall be deemed to be exempt from the Stamp Duty which would otherwise be payable in respect of such Transfer or Assignment : Provided always, that nothing herein contained shall extend to exempt any such Transfer or Assignment from any Stamp Duty to which it may be liable as a Settlement of the Money or Stock secured by such Bond or Mortgage, or any Portion thereof.

XV. And whereas it is desirable to facilitate the Purchase of stamped Paper, Covers, or Envelopes, and of other Stamps for expressing or denoting the Rates or Duties of Postage (all of which are herein-after designated as Postage Stamps), and for that Purpose to enable certain Persons in the Service of the Post Office to sell Postage Stamps without having any such Licence as the Laws now in force require in that Behalf, and without being subject or liable to any Penalty for carrying about Postage Stamps for Sale :

Persons authorized by Postmaster General may sell Postage Stamps, or carry same about for Sale, without being subject to Penalty.

It shall be lawful for the Postmaster General by Writing under his Hand to authorize and appoint any Person in the Service or Employment of the Post Office to sell Postage Stamps at any particular House or Place to be specified for that Purpose, and also any Messenger or other Person employed in the Delivery of Letters sent by Post to carry about for Sale and to sell at any Place Postage Stamps, and all such Persons shall, during the Period that such Authority and Appointment shall remain in force and unrevoked, without any Licence or any Authority other than last aforesaid, be at liberty to sell at any House or Place to be specified as aforesaid, or if so authorized, to carry about for Sale and sell at any Place, any Postage Stamps, and such Persons respectively shall not be subject or liable to any Penalty or Forfeiture for so doing, anything in any Act or Acts to the contrary notwithstanding.

For preventing the Evasion of the Duties on Playing Cards.

XVI. And whereas by an Act passed in the Ninth Year of the Reign of King *George* the Fourth, Chapter Eighteen, granting Stamp Duties upon Playing Cards made fit for Sale or Use in the United Kingdom, such Duties to be denoted on the

the Ace of Spades of each Pack of Cards, it is enacted, that no Playing Cards shall be sold as Waste Cards unless a Corner of each Card shall be cut off at least Half an Inch in Depth, and other Provisions are therein contained for securing the said Duties: And whereas Packs or Parcels of Cards fit and intended for Use and Play, but not containing an Ace of Spades duly stamped, are commonly sold under the Pretence of being Waste Cards, each of such Cards having a Corner cut off, whereby the said Duties are evaded; and it is expedient to prevent such Practice:

No Playing Cards, except such as shall be *bonâ fide* spoiled and rendered unfit for Use as Playing Cards in the Process of Manufacture, and which shall have a Corner cut off as in the said last-mentioned Act is provided, nor any Cards commonly called or known as Picture Cards or Court Cards, shall be deemed to be Waste Cards; and no Playing Cards except Waste Cards shall be sold otherwise than in Packs each Pack containing Fifty-two Cards of the Four usual suits of Thirteen Cards each, including an Ace of Spades duly stamped for denoting the Duty by the said Act granted on a Pack of Cards, and tied up together in manner directed by the said Act; and if any Person shall sell or expose or keep for Sale any Playing Cards, not being a Pack of Cards as aforesaid, and the same not being *bonâ fide* Waste Cards within the Meaning of this Act, he shall for every Pack, Parcel, or separate Quantity of Cards so sold or exposed or kept for Sale forfeit, if he shall not be a licensed Maker of Playing Cards, the Sum of Ten Pounds, and if he shall be such licensed Maker the Sum of Twenty Pounds; and all Cards so sold or exposed or kept for Sale shall be forfeited, and may be seized and taken by any Officer of Inland Revenue, and be disposed of as the Commissioners of Inland Revenue shall direct; provided that if in any Proceeding any Question shall arise whether any Cards are or were *bonâ fide* Waste Cards or not, Proof of the Affirmative thereof shall lie on the Party selling the same or having or keeping the same for Sale.

XVII. And whereas by an Act passed in the Session held in the Seventh and Eighth Years of the Reign of King George the Fourth, Chapter Fifty-three, Officers of Excise and Persons employed in the Collection or Management of or accounting for the Revenue of Excise are exempted from serving as Mayor or Sheriff, or in any corporate or parochial or other public Office or Employment, or on any Jury or Inquest, or in the Militia; and it is expedient to extend the same to all other Officers appointed by or under the Commissioners of Inland Revenue:

Exemption
of Excise
Officers
from serv-
ing Public
Offices ex-
tended to
Officers of
Inland Re-
venue.

Allowance
for Receipt
Stamps on
hand.

Drafts on
Bankers
payable to
Order on
Demand
sufficient
Authority
for Pay-
ment with-
out Proof
of Endorse-
ment.

Stamp
Duties in
Ireland
granted by
5 & 6 Vict.
c. 82. and
continued
by 8 & 9
Vict. c. 2.
11 & 12
Vict. c. 9.

No Officer or Person appointed by the Commissioners of Inland Revenue, or employed by them or under their Authority or Direction in any way relating to any of the Duties under their Care or Management shall, so long as he shall continue in and exercise such last-mentioned Office or Employment, be compelled to serve as Mayor or Sheriff, or in any of the Offices, Employments, or Capacities in the said Act and herein-before in that Behalf mentioned.

XVIII. Where any Person shall be possessed of any Stamps rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on application to them or to their proper Officer in that Behalf, at any time within Six Calendar Months after the Commencement of this Act to cancel and make Allowance for the same, as in the Case of spoiled Stamps, after deducting the Discount by Law granted on the Purchase of Receipt Stamps.

XIX. Provided always, That any Draft or Order drawn upon a Banker for a Sum of Money payable to Order on Demand which shall, when presented for Payment, purport to be endorsed by the Person to whom the same shall be drawn payable, shall be a sufficient Authority to such Banker to pay the Amount of such Draft or Order to the Bearer thereof; and it shall not be incumbent on such Banker to prove that such Endorsement, or any subsequent Endorsement, was made by or under the Direction or Authority of the Person to whom the said Draft or Order was or is made payable either by the Drawer or any Endorser thereof.

XX. And whereas by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Eighty-two, certain Rates and Duties denominated Stamp Duties were granted and made payable in *Ireland* for a limited Term; and by Four several Acts passed respectively in the Eighth, Eleventh, Fourteenth, and Fifteenth Years of Her Majesty's Reign the same Rates and Duties were continued for Four other several and successive Terms, the last of which will expire on the Tenth day of *October* One thousand eight hundred and fifty-three; and it is expedient to make the said Rates and Duties perpetual:

All the several Sums of Money and Duties and Compositon for Duties granted and made payable in *Ireland* by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Eighty-two, and not repealed by any subsequent Act, and also all Duties now payable in lieu or instead of any of the said Duties which may have been so repealed, shall be and the same are hereby continued and made perpetual, and shall be charged, raised, levied, collected, and paid unto and for the

Use

Use of Her Majesty, Her Heirs and Successors for ever: The said Act of the Fifth and Sixth Years of Her Majesty, and all and every other Act and Acts now in force in relation to the Duties and Composition for Duties which are continued by this Act, shall severally be continued and remain in full force in all respects in relation to the said Duties and Composition for Duties hereby continued and granted, and all and every the Powers and Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Acts or any of them, and in force as aforesaid, shall severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties and Composition for Duties hereby continued and granted, for the charging, raising, levying, paying, accounting for, and securing of the said Duties and Composition for Duties, and all Arrears thereof, and for the preventing, detecting, and punishing of all Frauds, Forgeries, and other Offences relating thereto as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties and Composition for Duties hereby granted.

14 & 15
Vict. c. 18.
15 & 16
Vict. c. 21.
made per-
petual.
Acts con-
tinued in
force.

The SCHEDULE referred to by this Act.

	Duty.		
	£	s.	d.
APPRENTICESHIP and CLERKSHIP.—Indenture, or other Instrument or Writing, containing the Covenants, Articles, or Agreements for or relating to the Service of any Apprentice, Clerk, or Servant who shall be put or placed to or with any Master or Mistress, or to or with any new Master or Mistress, either by Assignment, Transfer, or Turn-over, or upon the Death, Absence, or Incapacity of the former Master or Mistress, or otherwise to learn any Profession, Trade, or Employment whatsoever (except Articles of Clerkship or Apprenticeship to any Attorney, Solicitor, or other Person in order to Admission in any Court, or in any Office in any Court), or any Writing whatever (except as aforesaid) whereby any such Assignment, Transfer, or Turn-over may be effectuated or ascertained; Where no Sum of Money or other Matter or Thing shall be paid, given, assigned, or conveyed, or be secured to be paid, given, assigned, or conveyed to or for the Use or Benefit of the Master or Mistress, with or in respect of any Apprentice, Clerk, or Servant			
		0	2 6

	Duty.		
	£	s.	d.
DEBENTURE or Certificate for entitling any Person to receive any Drawback of any Duty or Duties, or Part of any Duty or Duties of Customs or Excise, or any Bounty payable out of the Revenue of Customs or Excise, for or in respect of any Goods, Wares, or Merchandise exported or shipped to be exported from any Part of the United Kingdom to any Part beyond the Sea ;			
Where the Drawback or Bounty to be received shall not exceed Ten Pounds	0	1	0
Where the same shall exceed Ten Pounds and not exceed Fifty Pounds	0	2	6
And where the same shall exceed Fifty Pounds	0	5	0
DRAFT or ORDER for the Payment of any Sum of Money to the Bearer or to order, on Demand	0	0	1
And the following Instruments shall be deemed and taken to be Drafts or Orders for the Payment of Money within the Intent and Meaning of this Act, and of any Act or Acts relating to the Stamp Duties on Bills of Exchange, Drafts, or Orders, and shall be chargeable accordingly with the Stamp Duties imposed by this Act or any such Act or Acts ; viz.			
All Documents or Writings usually termed Letters of Credit, or whereby any Person to whom any such Document or writing is or is intended to be delivered or sent shall be entitled, or be intended to be entitled to have Credit with, or in account with, or to draw upon any other Person for, or to receive from such other Person any Sum of Money therein mentioned.			
EXEMPTIONS from the DUTIES ON DRAFTS or ORDERS.			
All Drafts or Orders for the Payment of Money to the Bearer on Demand, drawn upon any Banker or Bankers, now by Law exempt from Stamp Duty.			
All Letters of Credit, whether in Sets or not, sent by Persons in the United Kingdom to Persons abroad authorising Drafts on the United Kingdom.			
POLICY of ASSURANCE or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives ;			
Where the Sum insured shall not exceed Five hundred Pounds ;			
Then for every Fifty Pounds, and any fractional Part of Fifty Pounds	0	0	6
And where it shall exceed Five hundred Pounds, and shall not exceed One thousand Pounds ;			
Then for every One hundred Pounds, and any fractional part of One hundred Pounds	0	1	0
And where it shall exceed One thousand Pounds ;			
Then for every One thousand Pounds and any fractional Part of One thousand Pounds	0	10	0

RECEIPT or DISCHARGE given for or upon the Payment £ s. d.
of Money amounting to Two Pounds or upwards . 0 0 1

EXEMPTION.

Receipts given for Money deposited in any Bank, or in the Hands of any Banker, to be accounted for, whether with Interest or not ; provided the same be not expressed to be received of or by the Hands of any other than the Person to whom the same is to be accounted for : Provided always, that this Exemption shall not extend to Receipts or Acknowledgments for Sums paid or deposited for or upon Letters of Allotment of Shares or in respect of Calls upon any Scrip or Shares of or in any Joint Stock or other Company or proposed or intended Company, which said last-mentioned Receipts or Acknowledgments, by whomsoever given, shall be liable to the Duty by this Act charged on Receipts.

CAP. LX.

An Act to amend the Acts regulating the Salaries of Resident Magistrates in Ireland.—[4th Aug. 1853.]

CAP. LXI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls.—[4th Aug. 1853.]

CAP. LXII.

An Act to extend and continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals.—[4th Aug. 1853.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of Her present Majesty (Chapter One hundred and seven), for preventing, until the First Day of *September* One thousand eight hundred and fifty, and to the end of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals : And whereas the said Act has by sundry Acts been continued until the First Day of *September* One thousand eight hundred and fifty-three, and if Parliament be then sitting, then further until the End of the then Session of Parliament : And whereas it is expedient that the said Act should be extended and further continued : Be it therefore enacted by the Queen's most Excellent

11 & 12
Vict. c. 107

Penalty on
Persons
bringing
glandered
Horses, &c.
into Mar-
ket, or
turning
them out
on unin-
closed
Land.

lent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Any Person bringing or attempting to bring for Sale any Horse or other Animal into any Market, Fair, or other open or public Place where Animals are commonly exposed for Sale, knowing such Horse or other Animal to be infected with or labouring under the Disease called Glanders, and any Person turning out, keeping, or depasturing any Horse or other Animal infected with or labouring under any such Disease in or upon any Forest, Chase, Wood, Moor, Marsh, Heath, Common, Waste Land, Open Field, Road Side, or other undivided or uninclosed Land, shall on Conviction of any such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and the said Act shall be read and construed as if this Enactment were incorporated therein, and all the Provisions of the said Act with respect to the Penalties or Forfeitures thereby imposed, and the Recovery and Application thereof, shall be applicable accordingly.

II. The said Act as extended by this Act shall continue and be in force until the First Day of *September* One thousand eight hundred and fifty-six, or if Parliament be then sitting until the End of the then Session of Parliament.

Recited
Act con-
tinued un-
til 1st Sept.
1856, and
End of
then Ses-
sion.

CAP. LXIII.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, to repeal the Duty on Advertisements, and otherwise to amend the Laws relating to Stamp Duties.—[4th August 1853.]

WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, and to impose other Stamp Duties in lieu thereof, and also to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, and otherwise to amend the Laws relating to Stamp Duties, and to repeal the Duty charged on Advertisements: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From

I. From and after the passing of this Act the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed; and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear Date before or upon the passing of this Act.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall

Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu thereof.

The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force.

shall not be superseded by, and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

As to Du-
ties on
News-
papers and
Supple-
ments.

III. No higher Stamp Duty than One Penny shall be chargeable on any Newspaper printed on One Sheet of Paper containing a Superficies not exceeding Two Thousand two hundred and ninety-five Inches :

A Supplement published with any Newspaper duly stamped with the Duty of One Penny, such Supplement being printed on One Sheet of Paper only, and together with such Newspaper containing in the aggregate a Superficies not exceeding Two thousand two hundred and ninety-five Inches, shall be free from Stamp Duty :

Any other Supplement to any such duly stamped Newspaper shall not be chargeable with any higher Stamp Duty than One Halfpenny, provided it does not contain a Superficies exceeding One thousand one hundred and forty-eight Inches :

And any Two Supplements to any such duly stamped Newspaper shall not be chargeable with any higher Stamp Duty than One Halfpenny on each, provided each of such Supplements be printed and published on One Sheet of Paper only, and that they contain together a Superficies not exceeding in the aggregate Two thousand two hundred and ninety-five Inches :

The Superficies in all the Cases aforesaid to be One Side only of the Sheet of Paper, and exclusive of the Margin of the Letter Press.

Allowance
for News-
paper
Stamps on
hand.

IV. Where any Person shall be possessed of any Stamps for Newspapers rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on Application to them or to their proper Officer in that Behalf, at any Time within Six Calendar Months after the Commencement of this Act, to cancel and make Allowance for the same, as in the Case of spoiled Stamps.

After pass-
ing of this
Act all Du-
ties on
Advertise-
ments to
cease.

V. And whereas it is expedient to repeal the Duties now payable on Advertisements : From and after the passing of this Act the Duties now payable under any Act or Acts in force for or in respect of any Advertisement contained in or published with any Gazette or other Newspaper, or contained in or published with any other periodical Paper, or in or with any Pamphlet or literary Work, and all Enactments, Clauses, Provisions, and Regulations for levying, collecting, and securing the said Duties, but so far only as they relate to such Duties, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to any of the
said

said Duties which shall have been charged or incurred on or before the Day of the passing of this Act, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears, all which said Duties and Arrears, Fines and Penalties, so excepted, as aforesaid, shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

VI. Whereas it is expedient to remove Doubts which have arisen as to the Stamp Duties chargeable upon Assignments of Judgment in *Ireland*; and it is also expedient to reduce the Stamp Duties now chargeable in *Scotland* upon Writs of Acknowledgment by Persons infest of Lands in favour of the Heirs or Disponees of Creditors: In lieu of the Stamp Duties now payable upon the Instruments hereinafter mentioned there shall be chargeable (besides any progressive Duties to which the same respectively may be liable by reference to the Head of Progressive Duty in the Schedule to the Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Ninety-seven,) the respective Stamp Duties following; (that is to say,)

Duties on Assignments of Judgment in *Ireland*, and Writs of Acknowledgment in *Scotland*.

For and upon every Assignment of any Judgment in *Ireland* One Pound Fifteen Shillings:

And for and upon any Writ of Acknowledgment by any Person infest of Lands in *Scotland* in favour of the Heir or Disponee of a Creditor fully vested in right of an heritable Security constituted by Infestment, Ten Shillings.

VII. And whereas under and by virtue of certain Acts of Parliament now in force the Governor and Company of the Bank of *Scotland*, and the Royal Bank of *Scotland*, and the *British* Linen Company in *Scotland* are respectively authorized and empowered to make and issue and re-issue their Promissory Notes payable to Bearer on Demand on unstamped Paper, giving Security, and keeping and producing true Accounts of all the Notes so issued by them respectively, and accounting for and paying the Stamp Duties payable in respect of such Notes: And whereas it is expedient to authorize and empower the Commissioners of Her Majesty's Treasury to compound with the said Banks, as well as all Bankers in *Scotland*, for the Stamp Duties on their Promissory Notes payable to Bearer on Demand, as well as for Stamps payable on their Bills of Exchange: It shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being, or any Three of them, and they are hereby authorized and empowered to compound and agree with the said Governor and Company

Power to Treasury to compound with Banks of

kers in
Scotland
for the
Stamp Du-
ties on
their Pro-
missory
Notes.

of the Bank of *Scotland*, and the Royal Bank of *Scotland*, and the *British* Linen Company in *Scotland*, and all or any other Bankers in Scotland, or elsewhere, respectively, for a Composition in lieu of the Stamp Duties payable on the Promissory Notes of the said Banks and Bankers respectively payable to the Bearer on demand, as well as for Stamps payable on their Bills of Exchange, and such Composition shall be made on such Terms and Conditions, and with such Security for the payment of the same, and for keeping, producing, and rendering of such Accounts, as the said last-mentioned Commissioners may deem to be proper in that Behalf; and upon such Composition being entered into by such Banks and Bankers respectively it shall be lawful for them to issue and re-issue all Notes and to draw all such Bills for which such Composition shall have been made on unstamped Paper, anything in any Act contained to the contrary notwithstanding.

Stamp
Duty on
Scrip Cer-
tificates.

VIII. From and after the passing of this Act the following Stamp Duty shall be charged and paid (that is to say,)

On any Scrip Certificate, that is to say, any Docu- £ s. d.
ment denoting or intended to denote the Right
or Title of the Holder thereof or any Person to
any Share or Shares in any Joint Stock or other
Company, or proposed or intended Company,
or any Certificate declaring or entitling the
Holder thereof or any Person to be or become
the Proprietor of any Share or Shares of or
in any such Company, where such Certificate
or the Right or Title to such Share or Shares
shall be or be intended to be transferable by
the Delivery of such Certificate, or otherwise
than by Deed or Instrument in writing 0 0 1

Receipts
for Land
or Assess-
ed Taxes
or Income
Tax ex-
empt from
Stamp
Duty.

IX. No Receipt given for any Sum or Sums of Money received for or on account of Land Tax, or the Duties of Assessed Taxes, or the Duties on Profits arising from Property, Professions, Trades, and Offices, by any Collector or Receiver of such Taxes or Duties, or by any Person having Authority to collect or receive the same, shall be subject or liable to any Stamp Duty.

Stamps de-
noting the
Duty on
Policies of
Life Assur-
ance may
be im-
pressed or
affixed.

X. The Duties granted by an Act of the present Session of Parliament on Policies of Assurance may be denoted either by a Stamp impressed upon the Paper whereon any such Instrument is written, or by an adhesive Stamp affixed thereto, and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties.

XI. The

XI. The adhesive Stamps to be so provided for the Purpose aforesaid shall be adapted for the Writing of the following Particulars thereon ; (that is to say,) the Date and Number of the Policy, and the Names of the Person insured and of One of the Directors of the Assurance Company, or other Person by whom the same shall be signed ; and where an adhesive Stamp shall be used or intended to be used for or upon any such Policy, such Stamp shall be firmly and securely affixed and made to adhere to such Policy, and all the several Particulars aforesaid shall be fairly and distinctly written upon such Stamp at or before the Time of the signing thereof by such Director or other Person aforesaid, or in default thereof such Director or other Person signing such Policy shall forfeit the Sum of Fifty Pounds.

Certain Particulars to be written on adhesive Stamps for Policies.

The SCHEDULE referred to by this Act.

	Duty.		
	£	s.	d.
ARTICLES of CLERKSHIP or Contract, whereby any Person shall first become bound to serve as a Clerk in order to his Admission as an Attorney or Solicitor in any of Her Majesty's Courts at Westminster or in Ireland, or in order to his Admission as a Proctor in the High Court of Admiralty in England, or the Court of Admiralty in Ireland, or in any of the Ecclesiastical Courts in Doctors Commons or in Ireland	80	0	0

CERTIFICATE to be taken out yearly by every Person admitted as an Attorney or Solicitor in any of Her Majesty's Courts at Westminster or in Ireland, or in any other Court in England holding Pleas where the Debt or Damage amounts to Forty Shillings ; and by every Person admitted as a Writer to the Signet, or as a Solicitor, Agent, Attorney, or Procurator in any of the Courts in Scotland ; and by every person admitted or enrolled as a Notary Public in England, Scotland, or Ireland, who in his own Name or in the Name of any other Person shall commence, prosecute, carry on, or defend any Action, Suit, Prosecution, or other Proceeding in any of the Courts aforesaid, or do any notarial Act whatever, for or in expectation of any Fee, Gain, or Reward, as an Attorney, Solicitor, Agent, Proctor, Procurator, or Notary Public, although not admitted or enrolled as such ;

If he shall reside within the Distance of Ten Miles from the General Post Office in the City of London, or within the City or Shire of Edinburgh, or in the City of Dublin, or within Three Miles thereof ;

	Duty.		
	£	s.	d.
And if he shall have been admitted for the Space of Three Years or upwards . . .	9	0	0
Or if he shall not have been admitted so long . . .	4	10	0
If he shall reside elsewhere, and if he shall have been admitted for the Space of Three Years or upwards . . .	6	0	0
Or if he shall not have been admitted so long . . .	3	0	0
CERTIFICATE to be taken out yearly by every Person being a Member of One of the Four Inns of Court in England, and by every Person in Ireland who in the Character of Conveyancer, Special Pleader, Draftsman in Equity or otherwise, shall, for or in expectation of any Fee, Gain, or Reward, draw or prepare any Conveyance of or Deed or Instrument relating to any Estate or Property, real or personal, or any other Deed or Contract whatever, or any Pleadings or Proceedings in any Court of Law or Equity ; If he shall reside within the distance of Ten Miles from the General Post Office in the City of London, or in the City of Dublin, or within Three Miles thereof . . . And if he shall reside elsewhere . . .			
	9	0	0
	6	0	0
CONVEYANCE of any kind or description whatsoever, in England or Ireland, and Charter Disposition or Contract containing the first original Constitution of Feu and Ground Annual Rights in Scotland (not being a Lease or Tack for Years), in consideration of any annual Sum payable in Perpetuity, or for any indefinite Period, whether Fee Farm or other Rent, Feu Duty, Ground Annual, or otherwise : Where the annual Sum thereby reserved, secured, or made payable shall not exceed 20s. . . And where the same shall exceed 20s. and shall not exceed 12<i>l.</i>, then for every 20s. or any fractional Part of 20s. of such annual Sum . . . And where the same shall exceed 12<i>l.</i> and shall not exceed 24<i>l.</i>, then for every 40s. and for any fractional Part of 40s. of such annual Sum . . . And where the same shall exceed 24<i>l.</i>, then for every 4<i>l.</i> and for any fractional Part of 4<i>l.</i> of such annual Sum . . .			
	0	2	6
	0	2	6
	0	5	0
	0	10	0

CAP. LXIV.

An Act for continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in Ireland.—[15th August 1853.]

CAP. LXV.

An Act to amend the Acts for the Regulation of Parish Vestries.—[15th August 1853.]

CAP. LXVI.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads.—[15th August 1853.]

CAP. LXVII.

An Act for the better Regulation of Public Houses in Scotland.—[15th August 1853.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to regulate the granting of Certificates by Justices of the Peace and Magistrates, authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses in Scotland, in which Ale, Beer, Spirits, Wine, and other exciseable Liquors may be sold by Retail under Excise Licences; and for the better Regulation of such Houses; and for the Prevention of such Houses being kept without such Certificate:* ^{9 G. 4. c. 58.} And whereas in *Scotland* great Evils have been found to arise from the granting of Certificates for Spirits, Wine, and exciseable Liquors, to be drunk or consumed on the Premises, to Dealers in Provisions and other such Commodities; and it is expedient that a Remedy be applied to such Evils, and that further Provision be made for the Regulating of Public Houses in *Scotland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall not be lawful to the Justices of the Peace for any County or District nor to the Magistrates of any Royal Burgh in *Scotland*, whether acting under the said recited Act or this Act, to grant any Certificate for Sprits, Wine,

No Certificate to be granted unless with express

or

Condition
that no
Groceries
be sold on
the Pre-
mises.

or exciseable Liquors to be drunk or consumed on the Premises, in terms of the said recited Act, with respect to any House or Premises not previously licensed, unless on the express Condition that no Groceries or other Provisions to be consumed elsewhere shall be sold in the House or Premises with respect to which such Certificate is granted within the Period to which such Certificate applies; and from and after the Term of *Whitsunday* next ensuing from the passing of this Act it shall not be lawful to such Justices or Magistrates to grant any Certificate, in terms of the said recited Act, with respect to any House or Premises, whether previously licensed under the said recited Act or not, unless on the express Condition aforesaid.

Grocers
may ob-
tain Cer-
tificates
for the
Sale of
Porter,
Spirits, &c.
by Retail.

II. Provided always, That nothing herein contained shall prevent any Person or Persons obtaining a Certificate as a Grocer, according to the Schedule to this Act annexed, for the Sale of Porter, Ale, Beer, Cyder, or Perry, or Wines, Spirits, and other exciseable Liquors, by Retail, but not to be consumed on the Premises, at the same rate as is exigible for a Certificate for a Public House.

Certain
Provision
of 6 G. 4.
c. 81. so
far as
regards
granting
Licences
in Scot-
land, re-
pealed.

III. And whereas by an Act passed in the Sixth Year of the reign of King George the Fourth, intituled *An Act to repeal several Duties payable on Excise Licences in Great Britain and Ireland, and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, it is enacted, that no Licence for the Sale of any Spirits or Foreign Wine, or Sweets or Made Wines, or Mead or Metheglin, by Retail, to be drunk or consumed in or upon the House or Premises where sold, shall be granted to any Person or Persons who shall not have and produce a Licence for the Sale of Beer, Cyder, or Perry, by Retail, to be drunk or consumed in or upon such House or Premises, in that Behalf granted; and if any Licence for the Sale of any Spirits or Foreign Wine, or Sweets or Made Wines, or Mead or Metheglin, by Retail, to be drunk or consumed in or upon the House or Premises where sold, shall be granted to any Person or Persons other than as aforesaid, such Licence shall be and is thereby declared to be absolutely null and void to all Intents and Purposes, and all and every such Person or Persons as aforesaid shall be subject and liable to all and every Penalty and Penalties imposed upon Persons selling Spirits or Foreign Wines, or Sweets or Made Wines, or Mead or Metheglin, by Retail, without Licence: Be it enacted, That the said recited Enactment, so far as regards any such Licence as aforesaid to be granted in *Scotland* after
the

the passing of this Act, shall be and the same is hereby repealed.

IV. Every Certificate to be granted in terms of the said recited Act of the Ninth Year of the Reign of King *George* the Fourth shall be granted under the express Condition that (unless by virtue of a separate Certificate) no Porter, Ale, Beer, Cyder, or Perry shall be sold by Retail in the House or Premises with respect to which such Certificate is granted within the Period to which such Certificate applies, or otherwise that (unless by virtue of a separate Certificate) no Spirits, Wine, or exciseable Liquors, other than Porter, Ale, Beer, Cyder, or Perry, shall be sold by Retail in such House or Premises to be consumed therein within such Period; and no One Certificate shall be granted having the Effect of enabling a Party to obtain a Licence to sell by Retail, in any Houses or Premises, to be consumed therein, not only Porter, Ale, Beer, Cyder, or Perry, but also Spirits, Wine, and other exciseable Liquors.

Certificate to be granted under 9 G. 4. c. 58. to contain Conditions that no Porter, &c. be sold by Retail on the Premises, and no One Certificate to enable Persons to sell Porter, &c. and Spirits, &c.

V. It shall not be lawful to the Justices of the Peace for any County or District, or the Magistrates of any Burgh, to grant any Certificate, in Terms of the said recited Act and this Act, for the Sale of any Spirits, Wine, Porter, Beer, Cyder, Perry, or other exciseable Liquors, to be drunk on the Premises, with respect to any House or Premises not previously licensed, until a written Report shall have been made by a Justice of the Peace for such County or District, or a Magistrate of such Burgh, such Justice or Magistrate being entitled to grant a Certificate, that the same are suitable and proper to be licensed, in Terms of the Certificate applied for, and setting forth the Name of the Owner of such House, accompanied with a Certificate as to the Applicant's Character and Qualification, signed by Two Justices of the Peace, or Two Magistrates of such Borough.

No Certificate to be granted until Premises have been inspected, and reported suitable.

VI. From and after *Whitsunday* One thousand eight hundred and fifty-four it shall not be lawful for the Justices of the Peace for any Shire or Stewartry, or the Magistrates of any Royal Burgh, to grant to any Blacksmith at his Smithy, or at any House occupied by him in the Immediate Vicinity of the same, or to any Tacksman of Tolls or Toll-gatherer, or to any Person occupying a House not hitherto licensed to sell exciseable Liquors situated at or near to any Toll Bar in *Scotland*, any Certificate to sell Wine, Beer, Spirits, or other exciseable Liquors, any thing in any Act of Parliament to the contrary notwithstanding, unless such Toll be situated more than Six Miles from any other House licensed to sell exciseable Liquors within the same County.

No Certificate to be granted to Blacksmiths, Tacksman of Tolls, or Toll-gatherers, &c.

VII. No

Excise Li-
cences not
to be grant-
ed without
or contrary
to a Certi-
ficate ob-
tained un-
der this
Act.

VII. No Licence for the Sale of any Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other exciseable Liquors, by Retail, to be drunk or consumed on the Premises of the Person licensed, shall be granted by the Commissioners of Inland Revenue, or by any Officer of Excise, to any Person in *Scotland* who shall not produce to the said Commissioners or Officer a Certificate, granted in Terms of the said recited Act of the Ninth Year of the Reign of King *George* the Fourth and of this Act, enabling the Party to obtain such Licence; and every such Licence which shall be granted without the Authority or contrary to the Terms of a Certificate in that Behalf shall be null and void to all Intents and Purposes.

Licences.

VIII. In lieu of the present Licences charged for the Sale of Beer and Spirits in *Scotland*, the following Licences shall be charged:

DUTIES.

Every Person who shall be duly authorized by the Justices of the Peace to keep an Inn, and who shall sell Beer, Cyder, or Perry by Retail (whether to be drunk or consumed on the Premises or not) if the Dwelling House in which such Person shall reside or retail Beer, Cyder, or Perry at the Time of taking out such Licence shall not, together with the Offices, Courts, Yards, and Gardens therewith occupied, be rated, under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, at a Rent of 10 <i>l. per Annum</i> or upwards, or shall not be rented or valued at such Rent or Annual Value, or upwards	£	s.	d.
And if rated, rented, or valued as aforesaid at 10 <i>l. per Annum</i> or upwards	2	10	0
Every Retailer of Spirits, if the Dwelling House in which such Retailer shall reside or retail such Spirits (whether to be drunk or consumed on the Premises or not) at the Time of taking out such Licence shall not, together with the Offices, Courts, Yards, and Gardens therewith occupied, be rated, under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, at a Rent of 10 <i>l. per Annum</i> or upwards, or shall not be rented or valued at such Rent or annual Value or upwards, (and which Rates of Licence Duty shall be deemed to apply to	4	4	0

the

the Sale of Beer together with Spirits where the Party obtaining such Licence shall have the Justice's Certificate or Authority to sell both)	£	s.	d.
If rated at 10 <i>l.</i> and under 20 <i>l.</i>	4	4	0
If " 20 <i>l.</i> " 25 <i>l.</i>	5	5	0
If " 25 <i>l.</i> " 30 <i>l.</i>	9	9	0
If " 30 <i>l.</i> " 40 <i>l.</i>	10	10	0
If " 40 <i>l.</i> " 50 <i>l.</i>	11	11	0
If " 50 <i>l.</i> and upwards	12	12	0
	13	13	0

IX. The said Duties by this Act granted and made payable on such Licences as aforesaid shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, paid, and applied in such and the like Manner as other Duties of Excise on Licences may by or under any Act or Acts in force be charged, raised, levied, collected, paid and applied; and all and every the Powers, Provisions, Clauses, Regulations, Fines, Forfeitures, and Penalties contained in or imposed by any such Act or Acts as aforesaid, in relation to any other Duties of Excise on Licences, shall, so far as the same are consistent with the express Provision of this Act, and are not hereby repealed, be practised and put in execution in relation to the said Duties hereby granted, as fully and effectually as if the same were repeated and re-enacted by this Act in reference to the said last mentioned Duties.

X. Provided always, That nothing herein contained shall extend or be deemed or construed to extend to repeal, alter, or affect any Duty or Duties payable under any Act or Acts in force immediately before the passing of this Act, for or upon any Licence to be taken out for the dealing in or retailing of Wine or Spirits or Beer or any other exciseable Liquors in any Part of the United Kingdom, or the Liability of any Person under any such Act or Acts as aforesaid to take out any such Licence, or his or her Liability to any Fine or Penalty for omitting to take out the same.

XI. The Forms of Certificate contained in the Schedule to this Act annexed shall come in place of the Form of Certificate provided by the said recited Act of the Ninth Year of the Reign of King *George* the Fourth: and it shall not be lawful to the Justices of the Peace for any County or District, or to the Magistrates of any Burgh in *Scotland*, whether acting under the said recited Act or this Act, from and after the passing of this Act, to grant any Certificates in any other Forms than those contained in the said Schedule; but it shall

Provisions
of former
Acts in
relation to
Excise
Licences to
be applied
to the
Duties and
Licences
under this
Act.

Not to
alter or
affect
existing
Licence
Duties, or
the liabi-
lity of
Parties to
take out
such Li-
cences.

Form of
Certificate.

be lawful to such Justices or Magistrates to grant Certificates in any of the Forms contained in the said Schedule according to the Circumstances of such Case; and the Penalties provided by the said recited Act for Contraventions of or Offence against the Terms, Provisions, and Conditions of Certificates, and the Recovery and Application thereof, and all Provisions of the said recited Act relating to the Terms, Provisions, and Conditions of Certificates, shall apply to Certificates granted under this Act: Provided always, that in Localities requiring other Hours for opening and closing Public Houses, Inns, and Hotels than those contained in the said Schedule, it shall be lawful for such Justices or Magistrates to insert in the said Schedule such other Hours, not being earlier than Six o'Clock or later than Eight o'Clock in the Morning for opening, or earlier than Nine o'Clock or later than Eleven o'Clock in the Evening, for closing the same, as they shall think fit.

Certificates granted contrary to this Act null and void.

Excise Licences taken out after 10th Oct. 1853 to retail exciseable Liquors to expire at Whitsunday 1854.

Licences taken out after Whitsunday 1854 to expire at Whitsunday next following.

XII. If any Certificate shall be granted contrary to the Provisions of this Act the same shall be null and void to all Intents and Purposes.

XIII. And whereas under and by virtue of the said recited Act of the Sixth Year of the Reign of King *George* the Fourth all Excise Licences taken out by any Person or Persons who shall be duly authorized by Justices of the Peace to keep a Common Inn, Alehouse, or Victualling House, and who shall take out a Licence for selling Beer, Cyder, or Perry by Retail, to be drunk or consumed in the House or Premises, or for selling Spirits or Foreign Wine, or Mead or Metheglin, are made to expire on the Tenth Day of *October* in each Year: And whereas it is expedient that all such Licences as aforesaid to be taken out in *Scotland* should be made to expire at the Term of *Whitsunday*, being the Period of the Year when the Certificates under which the same are granted will also expire: Be it therefore enacted, That all such Licences as aforesaid which shall be taken out in *Scotland* after the Tenth Day of *October* One thousand eight hundred and fifty-three, and before the Term of *Whitsunday* One thousand eight hundred and fifty-four, shall be made to expire at the latter Term, and shall be granted respectively, upon Payment of a proportionate Part of the annual Duty chargeable thereon, from the Day of the Date to the Day of the Expiration thereof; and every such Licence which shall be taken out in *Scotland* at any Time after *Whitsunday* One thousand eight hundred and fifty-four shall expire at *Whitsunday* next after the granting thereof, anything in the said recited Act of the Sixth Year of the Reign of King *George* the Fourth or in any other Act contained to the contrary thereof notwithstanding.

XIV. It

XIV. It shall be lawful for any Police Officer or Constable at any Time to enter into any Public House, or any House where Refreshments are sold to be consumed on the Premises; and any Person who refuses to admit or shall not admit such Police Officer or Constable into such Public House or House where Refreshments are sold as aforesaid, or shall offer Obstruction to his Admission thereto, shall be deemed guilty of an Offence; and every Person so offending shall for every such Offence forfeit and pay the Penalties herein-after mentioned, that is to say, for the First Offence the Sum of Five Pounds, with the Expenses of Conviction, and in case such Penalty and Expenses shall not be paid within the Space of Fourteen Days next after such Conviction shall have taken place, the Offender shall be imprisoned for a Period of One Calendar Month unless he shall sooner pay such Penalty and Expenses; and for the Second and every subsequent Offence, the Offender shall forfeit the Sum of Ten Pounds, with the Expenses of Conviction; and in case such Penalty and Expenses shall not be paid within the Space of Fourteen Days next after such Second or subsequent Conviction shall have taken place, then the Offender shall be imprisoned for a Period of Two Calendar Months, unless he shall sooner pay such Penalty and Expenses; and it is hereby provided and declared, that the several Penalties and Terms of Imprisonment may be mitigated by the Court; provided always, that by such Mitigation such Penalties and Terms of Imprisonment respectively shall not be reduced to less than One Fourth thereof.

Power to
Police to
enter
Public
Houses.

Penalty.

XV. Every Person bartering or selling Spirits without having obtained a Certificate, and every Dealer in Groceries or other Provisions to be consumed elsewhere than on the Premises supplying, whether gratuitously or otherwise, Spirits to be consumed on the Premises, shall be deemed guilty of an Offence, and shall for such Offence forfeit and pay the Penalties provided in the Thirtieth Section of the said recited Act of the Ninth Year of King *George* the Fourth, and upon Default of Payment thereof as therein mentioned, be imprisoned as therein provided: Provided always, that any Person who shall have been Three Times convicted of any Offence against this Act shall be incapable of holding a Licence for the Sale of exciseable Liquors in all Time coming; and provided also, that every Person who shall be convicted of bartering or selling Spirits without having obtained a Certificate shall in default of Immediate Payment of the Penalty imposed upon him for such Offence, be liable, in the Discretion of the Sheriff, Bailie, or Justices by whom he shall be so convicted, to be immediately imprisoned as prescribed by the said Thirtieth Section

Penalty on
Persons
bartering
or selling
Spirits
without
having ob-
tained a
Certificate.

Section of the said recited Act in the Case of Default of Payment within Four Days after Conviction.

Offences to
be tried,
&c. under
Provisions
of Act 9
G. 4. c. 53.

XVI. Every Offence committed against this Act shall be tried and determined, and all Penalties incurred under the Authority of this Act shall be recovered and applied, in the Manner and before the Courts, and subject to the Conditions provided in the said recited Act of the Ninth Year of King *George* the Fourth; but in the Case of any Person complained against for bartering or selling Spirits without having obtained a Certificate, it shall be lawful for the Sheriff, Bailie, or Justices to or before whom such Complaint shall have been made, instead of granting a Warrant to the Officers of Court to summon the Person complained against to appear to attend the Hearing of such Complaint, to grant Warrant for the Apprehension of such Person, and after such Apprehension to inquire into the Truth of the Allegations in such Complaint, and otherwise to proceed under such Complaint as if such Person had appeared under such a Summons.

Interpreta-
tion of
Terms.

XVII. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

Words importing the Singular shall include the Plural Number, and Words importing the Plural shall include the Singular Number:

Words importing the Masculine Gender shall also include Females:

The Word "Month" shall mean Calendar Month:

The Expression "Public House" shall include a Common Inn, Alehouse, Victualling House, or other Premises in which any exciseable Liquors are sold by Retail to be drunk or consumed in the Premises in which the same are sold:

The Expression "Inn and Hotel" in Certificate (No. 1.) shall refer to a House containing at least Four sleeping Apartments set apart for the Accommodation of Travellers:

The Word "Certificate" shall mean a Certificate to a Person to keep a Public House in Terms of the said recited Act and of this Act.

Repeal of
former
Statutes
so far as
inconsis-
tent with
this Act.

XVIII. The said recited Acts, and all other Statutes, Laws, and Usages, shall be and the same are hereby repealed in so far as is inconsistent with the Provisions of this Act, but no farther or otherwise.

SCHEDULE.

Form of Certificate for Inns and Hotels.

AT a General Meeting for granting Publicans Certificates held by Her Majesty's Justices of the Peace acting in and for the County [*or of the Magistrates of the Burgh, as the Case may be,*] of holden at within the said County [*or Burgh*] on the Day of in the Year One thousand eight hundred and for the Purpose of authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses, Her Majesty's Justices of the Peace acting in and for the said County, [*or the Magistrates of the said Burgh,*] assembled at the said Meeting, did authorize and empower *A.L.*, now dwelling at the Sign of the at in the Parish of and County [*or Burgh*] aforesaid, to keep a Common Inn, Alehouse, or Victualling House, for the Sale in the said House, but not elsewhere, of Victuals, and of Spirits, Wine, or other exciseable Liquors, other than Porter, Ale, Beer, Cyder, or Perry, [*or of Victuals, and of Porter, Ale, Beer, Cyder, or Perry,*] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her on that Behalf granted, on the Terms and Conditions following; that is to say, That the said *A.L.* do not fraudulently adulterate the Bread, and other Victuals and Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weights or Measures which are not of the legal Imperial Standards [*and do not sell any Groceries or other Provisions in the said House or Premises to be consumed elsewhere*]*; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct within the said House or Premises; and do not knowingly permit or suffer
Men

* *Note.*—The Condition within Brackets not to be inserted in Certificates granted previous to Whitsunday One thousand eight hundred and fifty-four in the Case of Houses or Premises previously licensed.

Men or Women of notoriously bad Fame, or Girls and Boys, to assemble and meet therein; and do not supply Liquor to Boys and Girls apparently under Fourteen Years of Age, or to Persons who are in a State of Intoxication; and do not permit or suffer any unlawful Games therein; and do not keep open House, or permit or suffer any drinking on any Part of the Premises belonging thereto, or sell or give out therefrom any Liquors, before Eight of the Clock in the Morning, or after Eleven of the Clock at Night, of any Day, with the Exception of Refreshment to Travellers or to Persons requiring to lodge in the said House or Premises; and do not open his House for the Sale of any Liquors, or sell or give out the same, on Sunday, except for the Accommodation of Lodgers and bonâ fide Travellers; and, lastly, do maintain good Order and Rule within his House and Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid,

from the Day of One thousand
eight hundred and and until the
Day of One thousand eight hundred
and and no longer.

The above Certificate is made out according to the Deliv-
erance in the Book or Register appointed to be kept
in Terms of the Act of Parliament.

C.D., Clerk.

Form of Certificate for Public Houses.

AT a General Meeting for granting Publicans Certificates held by Her Majesty's Justices of the Peace acting in and for the County [*or of the Magistrates of the Burgh, as the Case may be,*] of _____ holden at _____ within the said County [*or Burgh*] on the _____ Day of _____ in the Year One thousand eight hundred and _____ for the Purpose of authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses, Her Majesty's Justices of the Peace acting in and for the said County, [*or the Magistrates of the said Burgh,*] assembled at the said Meeting, did authorize and empower *A.L.*, now dwelling at the Sign of the _____ at _____ in the Parish of _____ and County [*or Burgh*] aforesaid to keep a Public House, for the _____

the Sale in the said Premises, but not elsewhere, of Victuals, and of Spirits, Wine, or other exciseable Liquors other than Porter, Ale, Beer, Cyder, or Perry, [*or of Victuals, and of Porter, Ale, Beer, Cyder, or Perry,*] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her on that Behalf granted, on the Terms and Conditions following; that is to say, That the said *A.L.* do not fraudulently adulterate the Bread and other Victuals and Liquors sold by him, or sell the same, knowing them to have been fraudulently adulterated; and do not use in selling the same any Weights or Measures which are not of the legal Imperial Standards, [and do not sell any Groceries or other Provisions in the said House or Premises to be consumed elsewhere]*; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct within the said House or Premises; and do not permit or suffer Men or Women of notoriously bad Fame, or Girls and Boys, to assemble and meet therein; and do not supply Liquor to Boys and Girls apparently under Fourteen Years of Age, or to Persons who are in a State of Intoxication; and do not permit or suffer any unlawful Games therein; and do not keep open House, or permit or suffer any drinking on any Part of the Premises belonging thereto, or sell or give out therefrom any Liquors, before Eight of the Clock in the Morning or after Eleven of the Clock at Night of any Day; and do not open his House for the Sale of any Liquors, or sell or give out the same, on Sunday; and, lastly, do maintain good Order and Rule within his House and Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, from the

Day of One thousand eight hundred

and and until the Day

of One thousand eight hundred and

and no longer.

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

* *Note.*—The Condition within Brackets not to be inserted in Certificates granted previous to Whitsunday One thousand eight hundred and fifty-four in the Case of Houses or Premises previously licensed.

*Form of Certificate for Dealers in Spirits, and Grocers and
Provision Dealers trading in Spirits.*

At a General Meeting for granting Publicans Certificates held by Her Majesty's Justices of the Peace acting in and for the County [or of the Magistrates of the Burgh, *as the Case may be,*] of _____ holden at _____ within the said County [or Burgh] on the _____ Day of _____ in the Year One thousand eight hundred and _____ for the Purpose of authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses, Her Majesty's Justices of the Peace acting in and for the said County, [or the Magistrates of the said Burgh], assembled at the said Meeting, did authorize and empower *A.L.*, now dwelling at _____ in the Parish of _____ and County [or Burgh] aforesaid, to keep Premises for the Sale therein, but not elsewhere, of Spirits, Wine, or other exciseable Liquors other than Porter, Ale, Beer, Cyder, or Perry, [or of Porter, Ale, Beer, Cyder, or Perry.] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her on that Behalf granted, on the Terms and Conditions following ; that is to say, That the said *A.L.* do not fraudulently adulterate the Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated ; and do not use in selling the same any Weights or Measures which are not of the legal Imperial Standards ; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct within the said Premises ; and do not supply Liquor to Persons who are in a State of Intoxication ; and do not sell any Spirits, Wine, or other exciseable Liquors [or Porter, Ale, Beer, Cyder, or Perry,] to be drunk or consumed on the said Premises, and do not sell or give out therefrom any Liquors, before Six of the Clock in the Morning or after Eleven of the Clock at Night of any Day ; and do not open his Premises for the Sale of any Liquors, or sell or give out the same, on Sunday ; and, lastly, do maintain good Order and Rule within his Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, for One Year from the _____ Day of _____ One thousand eight hundred and _____

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

Form

Form of Register of Applications.

Nos.	Names and Designations of Applicants.	I. For Inns and Hotels, and where situated.	II. For Public Houses, and where situated.	III. For Dealers in Spirits, Groceries, and Provisions.	Persons recommending Applicants.	How disposed of.	Convictions, and Dates thereof.
1.							
2.							

CAP. LXVIII.

An Act to limit the Time for proceeding to Election in Counties and Boroughs in England and Wales, and for Polling at Elections for the Universities of Oxford and Cambridge, and for other Purposes.—[15th August 1853.]

CAP. LXIX.

An Act to make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy.—[15th August 1853.]

CAP. LXX.

An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition, and their Estates.—[15th August 1853.] (England.)

CAP. LXXI.

An Act to amend the Law relating to the Stamp Duties upon Newspapers.—[15th August 1853.]

6 & 7 W.
4. c. 76.

WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter Seventy-six, and by the Schedule to the said Act annexed it is declared that the following Papers (amongst others) shall be deemed and taken to be Newspapers chargeable with the Duties by the said Act granted on Newspapers; that is to say, any Paper containing any Public News, Intelligence, or Occurrences, or any Remarks or Observations thereon, printed in any Part of the United Kingdom for Sale, and published periodically, or in Parts or Numbers at Intervals not exceeding Twenty-six Days between the Publication of any Two such Papers, Parts, or Numbers, where any of the said Papers, Parts, or Numbers respectively shall not exceed Two Sheets of the Dimensions herein-after specified (exclusive of any Cover or Blank Leaf or any other Leaf upon which any Advertisement or other Notice shall be printed,) or shall be published for Sale for a less Sum than Sixpence, exclusive of the Duty by the said Act imposed thereon; and it is provided, that no Quantity of Paper less than a Quantity equal to Twenty-one Inches in Length and Seventeen Inches in Breadth, in whatever way or Form the same may be made or may be divided into Leaves, or in whatever Way the same may be printed, shall, with reference to any such Paper, Part, or Number as aforesaid, be deemed or taken to be a Sheet of Paper; and it is provided also, that any of the several Papers herein-before described shall be liable to the Duties by the said Act imposed thereon, in whatever Way or Form the same may be printed or folded, or divided into Leaves, or stitched, and whether the same shall be folded, divided, or stitched, or not: **And** whereas it is expedient to amend the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: That from and after the passing of this Act so much of the aforesaid Act as is herein-before recited shall be and the same is hereby repealed:

Schedule
to recited
Act in
part re-
pealed.
No Paper
containing
News, &c.
to be a
News-

repealed: Provided always, that no Paper containing any Public News, Intelligence, or Occurrences shall be deemed to be a Newspaper within the Meaning of the said Act, or of any Act relating to the Stamp Duties on Newspapers, unless the same shall be published periodically, or in Parts or Numbers at Intervals not exceeding Twenty-six Days between the Publication of any Two such Parts or Numbers.

paper, unless published at Intervals not exceeding Twenty-six Days.

CAP. LXXII.

An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of Ireland.
—[15th August 1853.]

CAP. LXXIII.

An Act for the Establishment of a Body of Naval Coast Volunteers, and for the temporary Transfer to the Navy, in case of Need, of Seafaring Men employed in other Public Services.—[15th August 1853.]

CAP. LXXIV.

An Act to reduce the Terms on which the Land Tax in Great Britain may be redeemed or purchased.—
[15th August 1853.]

WHEREAS it is expedient to reduce the Terms on which the Land Tax in *Great Britain* may be redeemed or purchased under the several Acts in force in that Behalf: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From and after the passing of this Act, in lieu of the Consideration mentioned in the Act passed in the Forty-second Year of the Reign of King *George* the Third, Chapter One hundred and sixteen, Sections Twenty-two and Twenty-three, and Consideration for the Redemption of Land Tax to be

less by
£17, 10s.
per Cent.
than the
Considera-
tion fixed
by 42 G.
3. c. 116.
ss. 22 and
23.

and the Table in the Schedule marked (L.) to the said Act annexed, to be given or paid for the Redemption of the Land Tax in *Great Britain* under the Provisions of the several Acts in force in that Behalf, the Consideration for such Redemption shall be a Sum of the Capital Stocks or One of them mentioned in Section Twenty-two of the said Act less by and at the Rate of Seventeen Pounds Ten Shillings *per* One hundred Pounds than the Amount of the Stock Consideration calculated and ascertained according to the said last-mentioned Enactment, or a Sum of Money less by and at the like Rate than the Amount of the Money Consideration calculated and ascertained according to the said Section Twenty-three and the said Table in Schedule (L.) of the said Act; and the Consideration for the Purchase of Land Tax under the several Provisions contained in the said Act in that Behalf shall be such Sum of Capital Stock or Money at the least as is hereinbefore directed to be given or paid for the Redemption of Land Tax.

CAP. LXXV.

An Act for the Remission of the Consolidated Annuities charged upon Districts in Ireland.—[15th August 1853.]

CAP. LXXVI.

An Act to continue certain Acts for regulating Turnpike Roads in Ireland.—[15th August 1853.]

CAP. LXXVII.

An Act to continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund.—[15th August 1853.]

CAP. LXXVIII.

CAP. LXXVIII.

An Act relating to the Appointment of Persons to administer Oaths in Chancery, and to Affidavits made for Purposes connected with Registration.—[15th August 1853.]

CAP. LXXIX.

An Act for making sundry Provisions with respect to Municipal Corporations in England.—[15th August 1853.]

CAP. LXXX.

An Act to facilitate Procedure in the Sheriff Courts in Scotland.—[15th August 1853.]

WHEREAS an Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs in Scotland*; and another Act was passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process in Sheriff Courts in Scotland*: And whereas it is expedient to facilitate Procedure in the Sheriff Courts in Scotland, and to make further Provision for the cheap and speedy Administration of Justice in the said Courts: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. With respect to Cases in the Sheriff Court, other than those provided for by the first-recited Act as extended by this Act, be it enacted as follows:

7 W. 4. &
1 Vict. c.
41.

1 & 2 Vict.
c. 119.

*Proceed-
ings in
ordinary
Causes.*

The

Proceedings in ordinary Causes.

Short Form of Summons.

Decree in absence.

Provision for reponing.

The Summons shall be in the form, as nearly as may be, of the Schedule (A.) annexed to this Act, and such short Form shall be equally effectual to all Intents and Purposes, including Arrestment on the Dependence where the Summons contains a Warrant to arrest in Terms of such Schedule, as the Forms at present in use.

II. Where no Appearance shall be entered for the Defender the Sheriff may, at any Court held after the Day of Compareance, give Decree in Terms of such Summons, in like Manner as at present where no Appearance is made for the Defender, and such Decree shall be in all respects equivalent to a Decree in absence obtained under the Forms at present in use: Provided always, that the Defender may obtain himself reponed against such Decree, whether extracted or not, at any Time before Implement has followed thereon, or against such Part thereof as may not have been implemented, by lodging with the Sheriff Clerk a Reponing Note in the Form in Schedule (B.) annexed to this Act, and consigning therewith the Sum of Expenses decerned for, a Copy of which Note shall at the same Time be delivered or transmitted through the Post Office to the Pursuer or his Agent in the Action, and a Certificate by the Sheriff Clerk that such Note has been lodged shall operate as a Sist of Diligence; and where such Note shall have been lodged and Consignation made as aforesaid, the Sheriff shall pronounce a Judgment reponing the Defender, and shall also appoint the consigned Money to be paid over to the Pursuer, unless special Cause be shown to the contrary, and the Cause shall thereafter proceed in all respects as if Appearance were made therein, in manner herein-after provided, of the Date of such Judgment: Provided always, that where a Charge has been given, or any Step of Diligence has been taken, on the Decree, prior to the Application to be reponed, it shall be competent to the Sheriff in the course of the Proceedings in the Cause to decern in favour of the Pursuer for the Expense of such Charge or Diligence, or such part thereof as shall be just.

Procedure where Defender enters Appearance.

III. Where the Defender intends to state a Defence, he shall enter Appearance by lodging with the Sheriff Clerk, at latest on the Day of Compareance, a Notice in the Form of Schedule (C.) annexed to this Act; and on the First Court Day thereafter, or on any other Court Day to which the Diet may be adjourned, not being later than Eight Days thereafter, the Sheriff shall hear the Parties in Explanation of the Grounds of Action and the Nature of the Defence to be stated thereto, and if satisfied that no farther written Pleadings are necessary he shall cause a Minute in the Form of the Schedule (D.) annexed

to

to this Act to be written on the Summons, setting forth concisely the Ground of Defence, which Minute shall be subscribed by the Parties or their Procurators, and the Sheriff shall thereupon close the Record by Writing under the said Minute "Record closed," and signing and dating the same; but if the Sheriff shall be satisfied that the Record cannot properly be made up without Condescendence and Defences, he shall pronounce an Order for the same; and in such event the Pursuer shall, within Six Days thereafter, lodge with the Sheriff Clerk a Condescendence setting forth articulately, and as concisely as may be, without any Argument or unnecessary Matter, the Facts necessary to found the Conclusions of the Summons which he avers and is ready to prove, together with a Note of Pleas in Law; and the Defender shall, within Ten Days after the lodging of such Condescendence, lodge his Defences, setting forth articulately his Answers to such Condescendence, and also, where necessary, setting forth articulately, under a separate Head, any counter Statements necessary for his Defence which he avers and is ready to prove, and there shall be appended to such Defences a Note of the Defender's Pleas in Law, and such Defences shall be framed as concisely as may be, without any Argument or unnecessary Matter.

IV. The Sheriff Clerk shall, as soon as Defences are lodged, transmit the Process to the Sheriff, who shall consider the same, and shall as soon as may be, and at latest within six Days after the Date of lodging the Defences, appoint the Parties or their Procurators to meet him, and shall at such Meeting, if dilatory Defences have been stated, dispose at once, where possible, of such dilatory Defences, or may reserve Consideration of them till a future Stage of the Cause; and unless where the Pursuer is willing to close on Summons and Defences, the Sheriff may, if he thinks fit, order One Revisal of the Condescendence and Defences respectively, which Revisal shall be made upon the original Papers, unless the Sheriff, for special cause assigned, shall direct to the contrary; and as soon as revised Defences are lodged, the Sheriff Clerk shall transmit the Process to the Sheriff, who shall thereupon appoint the Parties or their Procurators to meet him as soon as may be, and at latest within Six Days after the Date of the lodging of the revised Defences; and at such Meeting after the lodging of the Defences, or the revised Defences, as the Case may be, or at an adjourned Meeting, if the Sheriff has seen fit to adjourn (which he is hereby authorized to do, where necessary, but for no longer Period than Eight Days), the Sheriff shall allow the Pursuer or his Procurator to put upon Record, in concise and articulate Form, where this has not been

Proceedings in ordinary Causes.

Condescendence and Defences to be lodged.

Record to be made up and closed.

*Proceed-
ings in
ordinary
Causes.*

been already done, his Answers to the Defender's Statement of Facts, or a simple Minute of Denial where that shall be deemed by the Sheriff to be sufficient, and shall allow each Party to adjust his own Part of the Record, and shall strike out of the Record any Matter which he may deem to be either irrelevant or unnecessary; and the Record shall then be closed by the Sheriff writing upon the Interlocutor Sheet the Words "Record closed," and signing and dating the same.

After Re-
cord is
closed
Sheriff to
hear Par-
ties, or to
appoint
Diet for
Proof, and
to dispose
of Case.

V. After the Record is closed the Sheriff shall hear the Parties or their Procurators upon the Merits of the Cause, and upon their respective Pleas, or where he deems Proof to be necessary, shall appoint a Diet for Proof on an early Day, and shall hear the Parties or their Procurators after such Proof is led; and after such Hearing, or such Proof and Hearing, as the Case may be, the Sheriff shall pronounce Judgment with the least possible Delay: Provided always, that it shall be competent to the Sheriff, on the written Consent of both Parties, to dispose of the Cause upon the Papers without further Statement or Argument.

Periods for
lodging
Papers
peremp-
tory; but
Proroga-
tions may
be granted
of Consent,
and once
on Cause
shown.

VI. Where any Condescendence or Defences, or revised Condescendence or revised Defences, or other Paper, shall not be given in within the Periods prescribed or allowed by this Act, the Sheriff shall dismiss the Action, or decern in Terms of the Summons, as the Case may be, by Default, unless it shall be made to appear to his Satisfaction that the Failure to lodge such Paper arose from unavoidable or reasonable Causes, in which Case the Sheriff may allow the same to be received, on Payment of such Sum in Name of Expenses as he shall think just: Provided always, that the Periods appointed for lodging any Paper, or for transmitting any Process to the Sheriff, or for closing a Record, may always be once prorogated by the Sheriff without Consent on special Cause shown, and may always be prorogated by written Consent of Parties, with the Approbation of the Court; and in every Interlocutor prorogating on special Cause shown the Time for lodging any Paper the Nature of such Cause shall be set forth, and a definite Time shall be therein fixed within which the Paper is to be lodged.

Provision
for Causes
commenc-
ed by Pe-
tition.

VII. In all Applications before the Sheriff which are at present commenced by Petition, and are not otherwise regulated by this Act, the Petition shall be as nearly as may be in the Form of Schedule (E.) annexed to this Act; and thereafter the Procedure under such Petition shall, as nearly as may be, be the same as herein-before provided in regard to ordinary Actions.

VIII. In Actions of Multiplepinding, the Party raising the Summons

Summons shall set forth in the Body thereof who is the real Raiser of the Action; and the Sheriff shall, at the First Calling of the Cause, where no Defences are stated, or where Defences are stated and repelled at the First Calling thereafter, pronounce an Order for Claims within a short Space; and it shall be competent for any Number of Parties whose Claims in such Action depend upon the same Ground to state such Claims in the same Paper; and as soon as the Parties who shall appear and claim an Interest in the Fund shall have lodged their Claims, or had Opportunity allowed them for doing so, the Sheriff shall appoint the Parties or their Procurators to meet him; and at such Meeting he shall allow each Party to adjust his own Part of the Record, and to meet the Averments of any other Claimant or Claimants so far as necessary, and the Procedure at such Meeting, and in the after Progress of the Cause, shall be as nearly as may be the same as is herein-before provided with reference to ordinary Actions after Defences have been lodged.

Proceedings in ordinary Causes.

Procedure in Multiplepoundings.

IX. Every Execution of a Summons, and every Execution of Service of a Petition, shall be written at the End of the Summons or Petition itself, and where necessary on continuous Sheets, but not on a separate Paper; and such Execution shall be in the Form, or as nearly as may be in the Form, of Schedule (F.) annexed to this Act, which Form shall be equally valid and effectual in all respects as the longer Form of Execution at present in use.

Short Forms of Execution provided.

X. Where Proof shall be allowed, a Diet of Proof shall be appointed, at which the Evidence shall be led before the Sheriff, who shall with his own Hand take a Note of the Evidence, setting forth the Witnesses examined, and the Testimony given by each, not by Question and Answer, but in the form of a Narrative, and the Documents adduced, and any Evidence, whether oral or written, tendered and rejected, with the Ground of such Rejection, and a Note of any Objections taken to the Admission of Evidence, whether oral or written, allowed to be received; which Note of the Evidence shall be forthwith lodged in Process, and the Sheriff Clerk shall mark the Documents admitted in Evidence, and also, separately, any Documents tendered and rejected; and the Diet of Proof shall not be adjourned, unless on Special Cause shown, which shall be set forth in the Interlocutor making the Adjournment; and the Proof shall be taken as far as may be continuously, and with as little interval as the Circumstances or the Justice of the Case will admit of; and the Note of the Evidence given by each Witness shall be read over to him by the Sheriff, and signed by the Witness (if he can write) on the last Page in

Written Proofs abolished; and Proofs how to be taken.

Proceedings in ordinary Causes.

Absent or aged or infirm Witness may be examined on Commission.

Remits may be made to Person of Skill, and if of Consent his Report shall be final.

Certified Copy Interlocutor of Proof to be Warrant for citing Witnesses and Havers, and to be operative, by simple Indorsation, in other Counties.

open Court before the Witness is dismissed: Provided always, that in the event of the Sheriff being unavoidably prevented from taking such Notes with his own Hand, he shall dictate the same to any competent Person he may select: Provided always, that it shall be competent to the Sheriff, where any Witness or Haver is resident beyond the Jurisdiction of the Court, or by reason of Age, Infirmary, or Sickness is unable to attend the Diet of Proof, to grant Commission to any Person competent to take and report in Writing the Evidence of such Witness or Haver; provided also, that it shall be competent to the Sheriff to remit to Persons of Skill or other Persons to report on any Matter of Fact, and where such Remit shall be made of Consent of both Parties the Sheriff shall hold the Report to be final and conclusive with respect to the Matter of such Remit.

XI. When a Diet of Proof shall be appointed by the Sheriff, a Copy, certified by the Sheriff Clerk, of the Interlocutor fixing such Diet, or of that Portion of such Interlocutor which relates to that Matter, shall be a sufficient Warrant to any Sheriff Officer in *Scotland* (acting within his own County) to cite Witnesses and Havers, at the Instance either of the Pursuer or Defender, to attend such Proof; and such Warrant shall have the same Force and Operation in any other County as in the County in which it was issued, the same being, in every Case in which it is executed in another County from that in which it is issued, indorsed by the Sheriff Clerk of such other County, who is hereby required to make and date such Indorsation; and the Citation and Execution thereof shall be in the Form of Schedule (G.) annexed to this Act: and if any Witness or Haver duly cited on a Citation of at least Forty-eight Hours shall fail to appear, he shall forfeit and pay a Penalty not exceeding Forty Shillings, unless a reasonable Excuse be offered and sustained by the Sheriff, for which Penalty Decree shall be given by the Sheriff in favour of the Party on whose Behalf he was cited: and it shall be further competent to the Sheriff to grant Second Diligence for compelling the Attendance of such Witness or Haver, the Expense whereof shall in like manner be decreed for against the Witness or Haver against whom the same has been issued, unless a special Reason to the contrary be stated, and sustained by the Sheriff.

Written Argument abolished and oral Pleadings substituted.

XII. The Parties or their Procurators shall be entitled to be heard orally when the Cause shall be ripe for Judgment, and on the Import of any concluded Proof, and at any other Stage of the Cause when Argument may be necessary and shall be appointed by the Sheriff; and it shall not be competent

tent at any Stage of the Cause, to receive any written argumentative Pleading, excepting as herein-after provided; but the Sheriff shall, if required by either of the Parties, take a Note of the Authorities cited in the course of the oral Argument, and also where he shall see fit of the Argument, and such Note shall form Part of the Process.

Proceedings in ordinary Causes.
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XIII. In all Cases where a Sheriff Substitute or Sheriff pronounces an Interlocutor disposing of a dilatory Defence or sisting Process, or deciding on the Admissibility of Evidence or any Plea of Confidentiality, or giving any Interim Decree, or disposing in whole or in part of the Merits of the Cause, it shall be the Duty of such Sheriff Substitute or Sheriff, as the Case may be, to set forth in such Interlocutor, or in a Note appended to and issued along with it, the Grounds on which he has proceeded.

Sheriff in deciding to state the Grounds of his Judgment.

XIV. Every Decree for Expenses pronounced after the passing of this Act shall be held to include a Decree for the Expense of extracting the same.

Decree for Expenses to include Expense of Extract.

XV. Where in any Cause neither of the Parties thereto shall during the Period of Three consecutive Months have taken any Proceeding therein, the Action shall at the Expiration of that Period (*eo ipso*) stand dismissed, without Prejudice nevertheless to either of the Parties within Three Months after the Expiration of such First Period of Three Months, but not thereafter, to revive the said Action on showing good Cause to the Satisfaction of the Sheriff why no Procedure had taken place therein, or upon Payment to the other Party of the preceding Expenses incurred in the Cause, whereupon such Action shall be revived and proceeded with in ordinary Form, with Power to the Sheriff, if he shall see fit, to disallow such Expenses or any Part thereof in the Accounts of the Agent of either Party against his Client: Provided always, that nothing herein contained shall apply to Cases in which the Right under such Action has been acquired by a Third Party, by Death or otherwise, within such Period of Six Months.

Action not prosecuted dismissed.

XVI. Where any Judgment shall be pronounced by the Sheriff Substitute, which under this Act may be brought under the Review of the Sheriff, the Party who proposes to appeal against the same shall, within Seven Days from the Date thereof, engross and sign by himself, or his Agent under the Interlocutor appealed against the Words "I appeal against this Interlocutor," and thereafter it shall be competent for such Party to lodge with the Sheriff Clerk within Eight Days a Reclaiming Petition against the said Judgment and any prior Judgment which may under this Act be then appealed, which

Judgment of the Sheriff Substitute may be appealed against by Petition or Hearing.

Reclaiming

Proceedings in ordinary Causes.

Reclaiming Petition the Sheriff Clerk shall forthwith transmit to the Sheriff, who may order Answers thereto, and shall thereafter dispose of such Appeal, or otherwise the Party appealing may intimate by Notice lodged with the Sheriff Clerk within the Period aforesaid his Desire to be heard orally before the Sheriff on such Judgment or Judgments, in which Case the Sheriff shall hear the Parties or their Procurators on such Appeal, and shall dispose of the same; and the Sheriff shall have Power in Cases requiring extraordinary Despatch to order a Reclaiming Petition and Answers instead of hearing the Parties orally; but it shall not be competent in any Case in reviewing such Judgment both to receive a Reclaiming Petition and to hear the Parties orally: Provided always, that if no Reclaiming Petition shall have been lodged, and if neither Party shall, within the Period above mentioned, require to be heard before the Sheriff, he may proceed to dispose of such Appeal without further Argument, and it shall be competent for the Sheriff, where the Cause is before him on Appeal on any Point, to open up the Record *ex proprio motu*, if it shall appear to him not to have been properly made up.

Review by Sheriff to be obtained by simple Appeal.

No Appeal allowed during the leading of the Proof;

XVII. It shall not be competent, prior to the closing of the Proof, to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, on the Admissibility of Evidence pronounced during the leading of the Proof; but it shall be competent, on the Proof being declared closed, or within Seven Days thereafter, to appeal against all or any of such Interlocutors; and the Sheriff shall pronounce such Judgment on the Appeal as shall be just, and shall appoint any Evidence which he may think ought not have been rejected, to be taken before the Case shall be advised on its Merits.

Except by Persons pleading Confidentiality, or objecting to Production of Writings.

XVIII. Provided always, that nothing in this Act contained shall preclude any Person, whether party to the Cause or not, who may plead Confidentiality, whether with reference to documentary or oral Evidence, or any Person, not being a Party to the Cause, who may object to produce Writings, whether on Pleas of alleged Hypothec or otherwise, from taking to review any Judgment of the Sheriff Substitute or Sheriff disposing of such Pleas, in whole or in part; but the Judgment of the Sheriff Substitute disposing of such Pleas shall only be reviewable by such Person taking an Appeal at the Time in open Court, which Appeal shall be minuted by the Sheriff Substitute, and thereupon such Part of the Proceedings as may be necessary for the Disposal of such Appeal, or as the Sheriff may require, shall be transmitted by the Sheriff Clerk to the Sheriff, who shall dispose of the same summarily, but may appoint a Hearing before giving Judgment: Provided also,

also, that no such Appeals by any such Person pleading Confidentiality as aforesaid, or by any such Person objecting to produce Writings as aforesaid, shall be held to remove the Cause from before the Sheriff Substitute as regards any Point or Points not necessarily dependent on the Interlocutor or Judgment appealed from ; but, as to all such Points, the Cause may be proceeded with before the Sheriff Substitute as if no such Appeal had been taken.

XIX. Until an Interlocutor shall have been pronounced disposing in whole or in part of the Merits of the Cause, it shall not be competent to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, not being an Interlocutor disposing of a dilatory Defence, or an Interlocutor sisting Process, or an Interlocutor allowing a Proof, or to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, on the Admissibility of Evidence pronounced during the leading of the Proof, except as herein-before provided for ; but it shall be competent in every Case in which an Appeal against any Interlocutor is taken also to appeal against all or any of the Interlocutors previously pronounced, whether before or after the Date of closing the Record, or whether the Record has been closed or not, and the Sheriff shall pronounce such Judgment on the Appeal as shall be just.

XX. It shall be competent to any Sheriff Substitute or Sheriff to correct any merely clerical Error in his Judgment at any Time before the Proceedings have been transmitted to the Judge or Court of Review, not being later than Seven Days from the Date of such Judgment.

XXI. The Procedure in Consistorial and Maritime Causes shall be as nearly as may be the same as is herein-before provided with reference to ordinary Actions.

XXII. It shall not be competent, except as herein-after specially provided for, to remove from a Sheriff Court, or to bring under Review of the Court of Session, or of the Circuit Court of Justiciary, or of any other Court or Tribunal whatever, by Advocation, Appeal, Suspension, or Reduction, or in any other Manner of Way, any Cause not exceeding the Value of Twenty-five Pounds Sterling, or any Interlocutor, Judgment, or Decree pronounced or which shall be pronounced in such Cause by the Sheriff.

XXIII. It shall be competent in all Civil Causes above the Value of Twelve Pounds, competent before the Sheriff, for the Parties to lodge in Process a Minute, signed by themselves or by their Procurators, setting forth their Agreement that the Cause should be tried in the summary Way provided in the said first-recited Act, and the Sheriff shall thereupon hear, try, and

Proceedings in ordinary Causes.
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No Appeal allowed (except in certain Cases) till Judgment on the Merits.

Where Mistakes in a Judgment may be corrected without Review.

Procedure in Consistorial and Maritime Causes.

Judgment of Sheriff in Causes not exceeding 25*l.* to be final.

Causes of any Value may be tried in a summary Way by Consent of all the Parties.

*Proceed-
ings in
ordinary
Causes.*
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and determine such Action in such summary Way, and in such Case the whole Powers and Provisions of the said first-recited Act shall be held applicable to the said Action: Provided always, that the Parties, or any of them, shall be entitled to appear and plead by a Procurator of Court.

In Cases
exceeding
25*l.*, Re-
view limit-
ed to final
Judg-
ments, &c.

XXIV. It shall be competent, in any Cause exceeding the Value of Twenty-five Pounds, to take to review of the Court of Session any Interlocutor of a Sheriff sisting Process, and any Interlocutor giving Interim Decree for Payment of Money, and any Interlocutor disposing of the whole Merits of the Cause, although no Decision has been given as to Expenses, or although the Expenses, if such have been found due, have not been modified or decerned for; but it shall not be competent to take to review any Interlocutor, Judgment, or Decree of a Sheriff, not being an Interlocutor sisting Process, or giving Interim Decree for Payment of Money, or disposing of the whole Merits of the Cause as aforesaid; and the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King George the Third, intituled, *An Act for abridging the Form of extracting Decrees of the Court of Session in Scotland, and for the Regulation of certain Parts of the Proceedings of that Court*, and also the Provisions of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled, *An Act for the better regulating of the Forms of Process in the Courts of Law in Scotland*, are, in so far as inconsistent with this Enactment, hereby repealed: Provided always, that when any Interlocutor shall be brought under Review of the Court of Session, it shall be competent for that Court also to review all the previous Interlocutors pronounced in the Cause.

50 G. 3. c.
112.

6 G. 4. c.
120.

Where
either
Party de-
sires it,
Case to go
at once to
the Inner
House.

XXV. All Cases of Advocation which shall come to depend before the Court of Session may be brought in the first instance before One or other of the Divisions of the Court of Session, or by Consent of both Parties before any Lord Ordinary in the Outer House, in which last Case the Judgment to be pronounced by such Lord Ordinary shall be final, and shall not be subject to Review by the Inner House, or by Appeal to the House of Lords.

Small Debt
Jurisdiction ex-
tended to
Causes not
exceeding
12*l.*

XXVI. And with respect to Small Debt Cases not exceeding Twelve Pounds:

The Provisions of the said first-recited Act shall be extended to all Causes, Prosecutions, Applications for Sequestration and Sale, and other Actions and Proceedings of the Nature set forth in the said first-recited Act, wherein the Debt, Demand, or Penalty in question, or the Fund *in medio*, shall not exceed the Value of Twelve Pounds, exclusive of Expenses and Fees of Extract; and the said first-recited Act shall be read and construed as if the Words "Twelve Pounds" were substituted for

for the Words "Eight Pounds Six Shillings and Eightpence," wherever these latter Words occur in the said first-recited Act: Provided always, that in any Case in which a Decree pronounced by the Sheriff in the Small Debt Court for any Sum exceeding Eight Pounds Six Shillings and Eightpence shall have been put to execution by Imprisonment, the Party so imprisoned shall be entitled to bring such Decree under Review of the Sheriff by way of Suspension and Liberation, and such Suspension and Liberation shall proceed in the Form provided for summary Petitions by this Act.

Proceedings in ordinary Causes.
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XXVII. And with respect to Proceedings before the Sheriff Court for Sequestration and Sale for Recovery or in Security of Rents, be it enacted as follows :

Proceedings in Sequestrations for Rent.
—

Every Petition for Sequestration and Sale for Recovery or in Security of Rents, whether such Petition be presented after the Term of Payment or *currente termino*, may contain a Prayer for a Decree for Payment of the Rent with reference to which the Petition is presented, and it shall be competent to the Sheriff to pronounce, under such Petition, Decree for Payment of such Rent or any Part thereof, and every such Decree shall be extractable in ordinary Form, and shall otherwise have the same Force and Effect in every respect as any Decree for Payment pronounced in any Petition for Sequestration and Sale in which a Decree for Payment of Rent might be competently inserted before the passing of this Act.

Petition for Sequestration may also conclude for Payment.
—

XXVIII. The Provisions of the said first-recited Act for the summary Trial and Determination of Sequestrations for Rent where the Rent or Balance of Rent does not exceed the Sum of Eight Pounds Six Shillings and Eightpence (and which Provisions are made applicable by this Act to Sequestrations for Rent where the Rent or Balance of Rent does not exceed the Sum of Twelve Pounds), are declared to extend, and the same are hereby extended, to all Sequestrations applied for *currente termino* or in security.

Operation of Provisions in first-recited Act extended.
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XXIX. And with respect to Actions of Removing before the Sheriff Court, be it enacted as follows :

Proceedings in Actions of Removing.
—

It shall be competent to raise a Summons of Removing at any Time, provided there be an Interval of at least Forty Days between the Date of the Execution of the Summons and the Term of Removal, or where there is a separate *Ish* as regards Land and Houses or otherwise, between the Date of the Execution of the Summons and the *Ish* which is first in Date.

Time within which Summons may be raised.
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XXX. Where any Lands or Heritages are held under a Probative Lease, specifying a Term of Endurance, such Lease, or an Extract thereof from the Books of any Court of Record, shall have the same Force and Effect in every respect as any

Lease containing Obligation to remove equivalent to Decree
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Extract

*Proceed-
ings in
Actions of
Removing.*

—
of Remov-
ing, pro-
vided
Forty
Days No-
tice be
given.

Extract Decree of Removing obtained in any ordinary Action of Removing at the Instance of the Party, Granter of such Lease, or in the Right of the Granter of such Lease, against the Party in possession under such Lease, whether such Party in possession be the Lessee named in such Lease or not, concerning such Party in possession, his Family, Sub-tenants, Cottars, and Dependants, with their Goods and Gear, to be removed and ejected from the said Lands or Heritages at the Term or Terms corresponding to the Expiration of the Term or Terms of Endurance specified in such Lease; and such Lease or Extract thereof shall, along with a written Authority signed by the Landlord or his Factor or Agent, be a sufficient Warrant to any Sheriff Officer or Messenger at Arms of the County within which such Lands or Heritages are situate to remove and eject such Party in possession, and his fore-saids, from such Lands or Heritages on the Elapse of such specified Term or Terms respectively, and to return an Execution thereof in common Form: Provided always, that previous Notice to remove shall be given to such Party in possession, at least Forty Days before the Expiration of the Term of Endurance specified in such Lease, or where the Lease has a separate Ish as regards Land and Houses or otherwise, at least Forty Days before that Ish which is first in Date, by causing to be delivered to such Party in possession, or to be left at his ordinary Dwelling House, or to be transmitted to his known Address through the Post Office, previous to the Commencement of such Period of Forty Days, a Notice by a Sheriff Officer of the County in which such Lands or Heritages are situate, or Messenger at Arms, in the Form in Schedule (I.) annexed to this Act; and a Certificate endorsed on such Lease or Extract that such Notice has been duly given, signed by a Sheriff Officer of such County, or Messenger at Arms, and attested by One Witness, in the Form in Schedule (J.) annexed to this Act, or an Acknowledgment to that Effect endorsed thereon by such Party in possession himself, or by his known Agent on his Behalf, shall be sufficient Evidence that such Notice has been given: Provided also that no such Removal or Ejection by virtue of this Enactment shall be competent after Six Weeks have elapsed from the Expiration of the Term of Endurance specified in such Lease, or where the Lease has a separate Ish as regards Land and Houses or otherwise, after Six Weeks have elapsed from that Ish which is last in Date; and provided further, that nothing herein contained shall be construed to prevent any Proceedings under this Enactment from being brought under Suspension in common Form.

XXXI. Where any Tenant in possession of any Lands or Heritages shall, whether at the Date of entering upon his Lease, or at any other Time, grant a Letter of Removal, either holograph or attested by One Witness, in the Form in Schedule (K.) annexed to this Act, such Letter of Removal shall have the same Force and Effect in every respect as any Extract Decree of Removing obtained in any ordinary Action of Removing at the Instance of the Party to whom such Letter of Removal is granted, or of the Party in his Right against the Party Granter of such Letter of Removal, or the Party in his Right as Tenant decerning such Party Granter of such Letter, or such Party in his Right, as the Case may be, his Family, Sub-tenants, Cottars, and Dependants, with their Goods and Gear, to be removed and ejected from the said Lands and Heritages at the Term or Terms of Removal respectively specified in such Letter of Removal; and such Letter of Removal shall be a sufficient Warrant to any Sheriff Officer of the County within which such Lands or Heritages are situate to remove and eject such Party Granter of such Letter of Removal, or such Party in his Right, and his fore-saids, from such Lands and Heritages, on the Elapse of such specified Term or Terms respectively, and to return an Execution thereof in common Form: Provided always, that where such Letter of Removal shall bear Date more than Six Weeks before the Term of Removal, or the Ish first in Date specified in such Letter of Removal, previous Notice to remove shall be given to the Party Granter of such Letter of Removal, or to such Party in his Right, at least Forty Days before such Term of Removal, or where such Letter of Removal specifies a separate Ish as regards Lands and Houses or otherwise, at least Forty Days before that Ish which is first in Date, by causing to be delivered to such Party Granter of such Letter of Removal, or to such Party in his Right, or to be left at his ordinary Dwelling House, or to be transmitted to his known Address through the Post Office, previous to the Commencement of such Period of Forty Days, a Notice by a Sheriff Officer of the County in which such Lands or Heritages are situate, in the Form of Schedule (I.) annexed to this Act; and a Certificate endorsed upon such Letter of Removal that such Notice has been duly given, signed by a Sheriff Officer of such County, and attested by One Witness, in the Form of Schedule (J.) annexed to this Act, or an Acknowledgment to that effect endorsed thereon by the Granter of such Letter of Removal, or other Party in his Right, or by the known Agent of the Granter of such Letter of Removal, or other Party on his Behalf, shall be sufficient Evidence that such Notice has been

*Proceed-
ings in
Actions of
Removing.*

Letter of
Removal
granted by
Tenant
equivalent
to Decree
of Remov-
ing, pro-
vided
Forty Days
Notice be
given.

*Proceed-
ings in
Actions of
Removing.*
—

given: Provided also, that no such Removal or Ejectment by virtue of this Enactment shall be competent after Six Weeks have elapsed from the Expiration of the Term of Endurance specified in such Letter of Removal, or where such Letter of Removal has a separate *Ish* as regards Lands and Houses or otherwise, after Six Weeks have elapsed from that *Ish* which is last in Date; and provided further, that nothing herein contained shall be construed to prevent any Proceedings under this Enactment from being brought under Suspension in common Form.

Arrears of
Feu Duties
for Sub-
jects of
small
Amount
may be
sued for in
Sheriff
Court.

XXXII. And whereas it is desirable that the Jurisdiction of the Sheriff should be extended to Questions relating to Non-payment of Feu Duties for real Subjects of small Amount, wherever, in Subjects not exceeding in yearly Value the Sum of Twenty-five Pounds, the Vassal shall have run in arrear of his Feu Duty for Two Years: It shall be competent for the Superior to raise an Action before the Sheriff in ordinary Form, setting forth that the Subject is of the Value, and that the Feu Duty has run in arrear as aforesaid, and concluding that the Vassal should be removed from his Possession, and that Warrant to that Effect should be granted, and thereafter the Cause shall proceed in the Manner herein provided in ordinary Actions; and if the Defendant shall fail to appear, or if it shall be proved to the Sheriff by such Evidence as he may require that the Subject is of the Value, and that the Feu Duty is in arrear as aforesaid, he shall grant Warrant in Terms of the Conclusions of the Summons, which Warrant shall be executed at the First Term of *Whitsunday* or *Martinmas*, which shall first occur, Four Months after the same is issued by the Sheriff, and such Warrant, so executed, shall have the Effect, in relation to the said Possession, of a Decree of Irritancy *ob non salutum Canonem*: Provided always, that it shall be competent to the Vassal, at any Time within One Year from the Date of such Removal, to raise an Action of Declarator in the Court of Session for Vindication of such Subject on any Ground proceeding on Challenge of the Title of the Superior, which shall not be called in question before the Sheriff except on Grounds instantly verified by the Titles of the Superior, and that it shall be competent to the Vassals, at any Time before such Warrant is executed, to purge the Irritancy incurred by Payment of the Arrears pursued for with the Expenses incurred by the Superior in such Proceedings; provided also, that in Leases for a longer Endurance than Twenty-one Years the Landlord shall have the like Remedies against his Tenant, in case of the Non-payment of Rent, *mutatis mutandis*, that are hereby given to the Superior against his Vassal.

XXXIII. And

XXXIII. And in respect of Criminal Prosecutions before the Sheriff, be it enacted as follows :

The Principal or Record Copies of all Criminal Libels before the Sheriff Courts may be either written or printed, or partly written and partly printed, provided that the same shall be authenticated in the same Manner as the written Criminal Libels now in use are authenticated.

XXXIV. When a Criminal Libel in any Sheriff Court is either wholly or partly printed, a Copy of it, either wholly or partly printed, shall, instead of being copied in Writing into the Record Book of Court, as at present, be inserted in such Book, either in its proper Place in the Body thereof or at the End of the Volume wherein the relative Procedure is recorded, in which last Case it shall be distinctly referred to as so appended.

XXXV. In the Prosecution of all Criminal Offences which shall not be tried summarily the Will of the Criminal Libel shall contain Two Diets of Compareance in the Form of the Schedule (L.) hereunto annexed ; and at the First of such Diets, which shall not be sooner than Five Days from the Service of the Libel, the Court sitting in Judgment shall call upon the accused Party to plead Guilty or Not Guilty to the Crime of which such Party may be therein accused ; and if such Party shall plead Guilty the Court shall forthwith pronounce Sentence upon such Party according to the Form now in use ; and if the Party accused shall plead Not Guilty the Trial of such Party shall take place on the Second Diet of Compareance set forth in the Will of the Libel, which Second Diet shall not be sooner than Nine clear Days after the First Diet, and at such Second Diet the Party accused shall again be called upon to plead as aforesaid, and if such Party shall then plead Guilty the Sentence of the Law shall be forthwith pronounced according to the Form now in use ; and if such Party shall plead Not Guilty a Jury shall then be empannelled, and the Trial shall proceed and be followed out according to Law, unless the Diet shall be further adjourned or deserted according to the existing Law and Practice.

XXXVI. It shall not be necessary for the Sheriff at each such Diet to ask the Party accused more than once whether such Party pleads Guilty or Not Guilty.

XXXVII. And with respect to the Salaries and Remuneration of Sheriffs and Sheriff Substitutes, be it enacted as follows :

It shall be lawful to grant to any Sheriff such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, not being less than Five hundred Pounds by the Year, and to any salaried Sheriff Substitute now in Office, or to his Successor,

Proceedings in Criminal Prosecutions.

Libels may be written or printed, or partly both, but authenticated as Libels now are.

Libel printed or partly printed to be inserted in Record Book.

The Will of Criminal Libels to contain Two Diets of Compareance as in Schedule, and Accused to be called upon at First Diet to plead Guilty or Not Guilty.

Sheriff not to ask Party more than once to plead.

Salaries of Sheriffs and Sheriff Substitutes.

Salaries of Sheriffs

Salaries of Sheriffs and Sheriff Substitutes. — and Sheriff Substitutes may be increased, and additional Sheriff Substitutes may be appointed.

or, or to any Sheriff Substitute who may be hereafter appointed by virtue of this Act, such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, the same not in any Case exceeding One thousand Pounds by the Year, and not less than Five hundred Pounds by the Year; and every Salary payable to such Sheriff or Sheriff Substitute shall be paid by Four equal quarterly Instalments out of the Funds from which the Salaries of Sheriffs are payable; and it shall be lawful for Her Majesty and Her Heirs and Successors, upon the joint Recommendation of the Lord President of the Court of Session, Her Majesty's Advocate, and the Lord Justice Clerk, all for the Time being, to grant Authority to any Sheriff to appoint One or more additional Sheriff Substitutes: Provided always, that such joint Recommendation shall expressly bear that the Appointment of such additional Officer or Officers is essentially necessary for the Public Service; and provided also, that no more than Two additional Sheriff Substitutes in each County shall be appointed under the Powers hereby conferred.

Provision for Retiring Allowance to Sheriffs and Sheriff Substitutes disabled after long Service.

Sheriffs Salaries to be in lieu of all Fees, &c.

Commissions to Sheriff Substitutes to extend over the whole County.

XXXVIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant to any Person who has held, now holds, or may hereafter hold the Office of Sheriff Substitute such Annuity as is by the said second-recited Act authorized to be granted in respect of long Service for One or other of the Periods specified in the said second-recited Act, notwithstanding such Service may not have been continuous, and may have been in different Counties; and the said Commissioners shall have the same Powers of granting Annuities to Sheriffs in respect of long Service as are conferred by the said second-recited Act and by this Act with reference to Sheriff Substitutes, and such Annuities shall be payable out of the Funds from which the Salaries of Sheriffs are payable: Provided always, that no such Annuity shall be granted to any Sheriff or Sheriff Substitute, unless the Periods of his actual Service as Sheriff or Sheriff Substitute, as the Case may be, shall, when taken together, extend to one or other of the Periods of Service specified in the said second-recited Act; and that in computing the Amount of Retiring Allowance of such Sheriffs the Emoluments drawn by them on Average of the Five preceding Years shall be held to constitute their Salary.

XXXIX. The Salaries henceforth to be paid to the Sheriffs and Sheriffs Substitute shall be in full of all Fees and Emoluments whatever.

XL. The Commissions already granted or to be granted by all Sheriffs to the Sheriffs Substitutes shall extend over the whole County.

XLI. In

XLI. In case the Operation of this Act shall affect the Emoluments of any Sheriff Clerk not now paid by Salary, it shall be competent to such Sheriff Clerks to apply to the Commissioners of Her Majesty's Treasury of *Great Britain and Ireland*, who shall have Power, upon Proof to their Satisfaction of the Diminution of the Emoluments of such Sheriff Clerks through the Operation of this Act, to award such Compensation to such Sheriff Clerks respectively as to the said Commissioners shall seem just; and it shall be in the Power of any such Sheriff Clerk to require that he should be paid by Salary, in Terms of the said recited Act First and Second *Victoria*, Chapter One hundred and nineteen; and it shall be lawful to the Commissioners of Her Majesty's Treasury to adjust the Salary of every Sheriff Clerk now in Office, and who is paid by Salary, regard being had to the Expenses of such Office, as may seem to them just.

*Salaries of
Sheriffs
and Sheriff
Substitutes.*

—
Compen-
sation to
Sheriff
Clerks.

XLII. And with respect to the Sittings of the Sheriff Courts, and the more efficient Operation of this Act, be it enacted as follows:

*Provision
for the Sit-
tings of
Sheriff
Courts, &c.*

Each Sheriff Court, except those held at a Place where an ordinary Sheriff Substitute does not reside, shall sit for the Despatch of ordinary Civil Business for such Number of Days weekly during the Session as shall be fixed by each Sheriff by a Regulation of Court, to be approved of by the said Lord President and Lord Justice Clerk, and to be advertised at least once a Year in a Newspaper published in the County, or where there is no such Newspaper, in a Newspaper published in some County immediately adjoining.

—
Sheriff
Courts to
sit such
Days dur-
ing Session
for Des-
patch of
Civil Busi-
ness as
may be
fixed by
Sheriff and
approved
of.

XLIII. Each Sheriff shall hold Three Sessions in each Year, the First of which shall commence on the Fifteenth Day of *January*, or the First ordinary Court Day thereafter, and shall continue until the Fifteenth Day of *March* following, and the Second shall commence on the Third Day or the Fourth Day of *April*, and shall continue until the Thirty-First Day of *July* following, and the Third shall commence on the First Day of *October*, or the First ordinary Court Day thereafter, and shall continue until the Fifteenth Day of *December* following; and in case at any Time there shall be any Arrear of Business undisposed of, it shall be the Duty of the Sheriff from Time to Time to appoint additional Court Days, whether in Time of Session or Vacation, for the Purpose of disposing of such Arrear.

Sheriffs to
hold Three
Sessions in
each Year.

XLIV. All Summary Causes may proceed equally during Vacation as during Session; and it shall be competent to the Sheriff, if he thinks fit, to pronounce Interlocutors in Time of Vacation, in all Causes, whether Summary or not.

Sheriff may
act in Time
of Vac-
ation.

XLV. The

*Provision
for the Sit-
tings of
Sheriff
Courts, &c.*

*Sheriff to
fix One
Court Day
in each
Vacation
for Des-
patch of
ordinary
Court
Business.*

*Sittings to
be held by
Sheriffs in
their
Counties.*

XLV. The Sheriff shall, before the Termination of each Session, appoint at least One Court Day during each Vacation for the Despatch of all ordinary Civil Business, including the calling of new Causes, and the Receipt of Condescendences, Defences, and other Papers, which, if the Court had not been in Vacation, would have required to be previously lodged.

XLVI. Every Sheriff shall, unless prevented by Indisposition or other unavoidable Cause, hold annually in his County Sittings for the Discharge of the Judicial Business of the County; that is to say, the Sheriffs of *Sutherland, Caithness, and Inverness, Ross and Cromarty, Argyle, Banff, and Elgin and Nairn*, shall hold Three such Sittings, and the Sheriffs of the other Counties shall hold Four such Sittings, in the course of the Year; and such Sittings shall continue until the Causes ready for Trial or Hearing when such Sittings commence be disposed of; and such Sittings shall, except as regards the Counties of *Ross, Inverness, and Argyle*, be held at each of the Places within his County at which the ordinary Courts of the Sheriff Substitutes are held, and such other Places as the Sheriff, with Approval of the Secretary of State for the Home Department, may appoint, and as regards the Counties of *Ross, Inverness, and Argyle* at such Places as the Sheriff, with Approval of the Secretary of State, may appoint: Provided always, that the Sheriffs of the said Three Counties shall at least twice a Year hold One such Sitting at each of the Places at which the ordinary Courts of the Sheriff Substitutes are held; and each Sheriff shall give due Notice to the County of the Times and Places of such Sittings, and such Sittings shall take place at Intervals of not less than Six Weeks; and each Sheriff shall, once in the Year, go on the Small Debt Circuit in use to be held by the Sheriff Substitute, and shall on such Occasions, in addition to holding the Small Debt Court, despatch as much of the ordinary Business as may be ready for Adjudication, or as Time may permit; and each Sheriff shall annually, within Ten Days after the Twelfth Day of *November*, make a Return to Her Majesty's Principal Secretary of State for the Home Department of the Number of Sittings held by him, and of the Periods of holding each such Sitting, in the immediately preceding Year, stating the Cause of Absence in case the Sittings herein-before directed shall not have been held by him in Terms of this Act; provided that none of the said Provisions shall extend to the Counties of *Orkney and Shetland, and Midlothian and Lanark*; and so much of an Act passed in the First and Second Year of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution and Jurisdiction and Forms of Process of the Sheriff Courts in Scotland*, as relates

lates to the Courts to be held by each Sheriff Depute in his County, excepting the said Counties of *Orkney* and *Shetland*, is hereby repealed.

XLVII. It shall be lawful for any Sheriff to pronounce and sign any Interlocutor, Judgment, or Decree when furth of his Sheriffdom; and such Interlocutor, Judgment, or Decree shall have all the like Force and Effect as if pronounced and signed by the Sheriff while within the Limits of his Sheriffdom.

XLVIII. No Person whatsoever shall be exempt from the Jurisdiction of the Sheriff Court, in any Cause, on account of Privilege by reason of being a Member of the College of Justice.

XLIX. The Court of Session shall be and is hereby authorized and required to frame from Time to Time a Table or Tables of Fees for Business in the Sheriff Courts of *Scotland*, and such Table or Tables of Fees so framed shall be submitted to the Secretary of State for the Home Department, and if approved of shall form the Rule of professional Charge for Business performed in such Courts.

L. In construing this Act, unless where the Context is repugnant to such Construction, the Word "Sheriff" shall be held to include "Sheriff Substitute;" the Word "Tenant" shall include Sub-tenant; and the Word "Lease" shall include Sub-lease.

LI. The said recited Acts, and all Laws, Statutes, Acts of Sederunt, and Usages now in force, shall be and the same are hereby repealed, but that in so far only as may be necessary to give effect to the Provisions of this Act, and no further or otherwise.

LII. This Act shall take effect from and after the First Day of *November* One thousand eight hundred and fifty-three.

Provision for the Sit-tings of Sheriff Courts, &c.

Sheriff may sign Interlocutors when furth of his County.

Privilege of Members of College of Justice abolished.

Court of Session to frame Tables of Fees.

Interpretation Clause.

Recited Acts, &c. repealed.

Act to take effect from 1st Nov. 1853.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Petitory Summons.

A.B., Sheriff of the County of _____ to
 Officers of Court, jointly and severally : Whereas it is shown
 to me by *C.D.* [*design him*], Pursuer, against *E.F.* [*design*
him], Defender, in Terms of the Conclusions under-written :
 Therefore the Defender ought to be decerned to pay to the
 Pursuer the Sum of _____ contained in a Bill drawn
 by the Pursuer upon and accepted by the Defender, dated
 _____ and payable _____ after Date, with
 the legal Interest thereof, till Payment [*or to make Delivery*
 to the Pursuer of _____ sold by the Defender to him ;
or to pay to the Pursuer the Sum of _____ for
 Goods sold by the Pursuer to the Defender, per Account
 commencing the _____ Day of _____ and ending the
 _____ Day of _____ annexed hereto ; *or to pay to the*
 Pursuer the Sum of _____ being Damages sustained
 by the Pursuer in consequence of the Defender having slan-
 dered the Pursuer by stating _____ *or otherwise,*
according to the Nature and Circumstances of the Action] with
 Expenses : And my Will is that ye summon the Defender to
 compear in my Court House, at _____ upon the
 Sixth Day next after the Date of your Citation, in the Hour
 of Cause, with Continuation of Days, to answer in the Pre-
 mises ; with Certification in case of Failure, of being held as
 confessed ; [*and if Arrestment on the Dependence is required,*
add] and that ye arrest in security the Defender's Goods,
 Monies, Debts, and Effects. Given at _____ the
 _____ Day of _____

G.H., Sheriff Clerk.

Summons of Count and Reckoning and Payment.

A.B., &c. [*as before*] : Whereas, &c. [*as before*] : There-
 fore the Defender ought to be decerned to produce before me
 a full Account of his Introumissions as Cashkeeper to the Pur-
 suer [*or otherwise as the Case may be*], that the true Balance
 due to the Pursuer thereon may be ascertained ; and the
 Defender should be decerned to pay to the Pursuer such Sum
 as may be found to be the true Balance on said Account
 with the Interest which may be due thereon ; and if he fail to
 produce

produce such Account the Defender should be decerned to pay to the Pursuer the Sum of _____ which should in that Case be held to be the Balance due, with Interest thereon from the _____ Day of _____ with Expenses: And my Will is, &c. [*as before.*]

Summons of Multiploinding.

A.B., &c. [as before]: Whereas it is shown to me by *A.B. [design him]*, Pursuer against *C.D. [design him]*, common Debtor, and *K.L., [insert Names and Designations of the other Defenders, and state who is the real Raiser]*, alleged Creditors of the said *C.D.*, in Terms of the Conclusions underwritten: Therefore it should be declared that the Pursuer is Holder of a Fund in medio, [*specify the Amount or Nature of it*], and is only liable in single Payment of the said Fund to those having Right thereto; and the Defenders should produce their Claims, and the Pursuer should be decerned to pay the said Fund, deducting his Expenses of Process, in such way as may be just; and such of the Defenders as shall be found to have no Right should be prohibited from troubling him in Time coming: And my Will is, &c. [*as before.*]

SCHEDULE (B.)

[*Date.*]

Reponing Note.

In the Action *A.* against *B.*

The Defender craves to be reponed against the Decree in absence, dated _____ [*add, where necessary, so far as unimplemented.*] The Expenses decerned for are consigned with the Sheriff Clerk.

A., Defender.

[*Or*] *C.*, Agent for Defender.

SCHEDULE (C.)

Notice of Appearance.

In the Action *A.* against *B.*

B. [design him], Defender, enters Appearance to defend said Action.

B., Defender.

[*Or*] *D.*, Agent for Defender.

SCHEDULE (D.)

Minute at the first calling of Cause, and where Defender makes Compearance.

Edinburgh 1853 Act Alt

The Defender's Procurator stated that the Defence was [*here state succinctly the Ground of Defence, dilatory or peremptory, as*] no Title to pursue, *or* Prescription, *or* the Goods specified in Account libelled were not ordered *or* not received by Defender, *or* Compensation, conform to Account due by Pursuer, amounting to £ herewith produced, *or* the Defender, who was Drawer of the Bill sued on, received no Notice of Dishonour, *or otherwise, in like Manner as the Case may be.*

SCHEDULE (E.)

Petition.

Unto the Sheriff.

A. B.

v.

C. D.

Or, in the Action presently before your Lordship,

A. B.

v.

C. D.

The Petitioner humbly showeth,

That [*here state briefly the Circumstances, as*] of this Date the Effects of were duly sequestrated, and it is now necessary to sell, *or* Whereas an Action between for the Price of a Horse is now depending before your Lordship, and it is expedient *or* necessary to sell the said Horse, *or, In consequence of* wrongously and unwarrantably using, *or* disposing of and making away with, *or* encroaching on, *or* withholding and refusing Delivery of, the Property, Effects, *or* Documents of, *as the Case may be.*

May it therefore please your Lordship to grant Warrant of Sale, *or* for Delivery, *or* for Interdict, &c. &c. &c.

SCHE-

SCHEDULE (F.)

Form of Execution of Summons or Petition.

This Summons [*or Petition*] executed [*or served*] by me
 [*insert Name*] Sheriff Officer, against [*or upon*] [*insert Name*
or Names] Defender, [*or Defenders, or Respondent or Respon-*
dents], [*state whether personally or otherwise*], in Presence of
 [*insert Name and Designation of Witness*], this
 Day of Eighteen hundred and
 Years.

E.F., Sheriff Officer.

L.M., Witness.

SCHEDULE (G.)

Citation of Witnesses and Havers.

C.D. [*design him*]. You are hereby cited to attend in the
 Sheriff Court of the County of on the
 Day of at o'Clock, within
 to give Evidence for the Pursuer [*or Defender*]
 in the Action at the Instance of *A.* [*design him*], Pursuer,
 against *B.* [*design him*], Defender, and that under the
 Penalty of Forty Shillings Sterling if you fail to attend. [*If*
a Haver say,] And you are required to bring with you
 [*specify Documents required*]. Dated this Day
 of

E.F., Sheriff Officer.

Execution against Witnesses and Havers.

Upon the Day of I duly cited *C.D.* [*design*
him] to attend in the Sheriff Court of the County of
 on the Day of at o'Clock, within
 to give Evidence for the Pursuer [*or Defender*],
 in the Action at the Instance of *A.* [*design him*], Pursuer,
 against *B.* [*design him*], Defender. [*If a Haver, say,*] And I
 also required him to bring with him [*specify Documents*].
 This I did by delivering a just Copy of Citation to the above
 Effect, signed by me, to the said *C.D.* personally [*or otherwise,*
as the Case may be].

E.F., Sheriff Officer.

SCHEDULE (I.)

Notice to remove.[*Place and Date.*]

You are required to remove from the Farm of [*insert Name by which usually known*], at the Term of _____ next, as to the Houses and Grass, and at the Separation of the Crop from the Ground as to the Arable Land [*or as the Case may be*], in Terms of the Lease thereof [*or in Terms of your Letter of Removal*], dated _____

E.F., Sheriff Officer.

[*Address*] G.H.
[*design him.*]

SCHEDULE (J.)

Certificate of Notice to remove.[*Place and Date.*]

I, E.F., Sheriff Officer of the County of _____, certify, that on the _____ Day of _____ Notice to remove, in Terms of this Lease [*or Letter of Removal*] at _____ next [*according to the Terms of the Notice*], was, in Presence of L.M. [*design him*], subscribing Witness, given by me to G.H., the Tenant, by delivering such Notice to him personally [*or by leaving such Notice at his ordinary Dwelling House at _____, or by transmitting such Notice to him through the Post Office to his known Address, as follows: (insert Address to which Notice sent)*].

E.F., Sheriff Officer.

L.M., Witness.

SCHEDULE (K.)

Letter of Removal.[*Place and Date.*]

SIR,—I am to remove from the Farm of [*insert Name by which usually known*], at the Term of _____ Eighteen hundred and _____, as to the Houses and Grass, and at

the Separation of the Crop from the Ground as to the Arable Land [*or as the Case may be*].

I am,

Your obedient servant,

[*Signed by the Tenant.*]

[*Address.*]

Note.—If this Letter is not Holograph of the Granter of it, it must be attested by One Witness, thus,—

L.M., Witness.

SCHEDULE (L.)

Herefore it is my Will, and I command you, that on Sight hereof ye pass, and in Her Majesty's Name and Authority and mine lawfully summon, warn and charge the said [*accused Party*] to compear personally before me, or any of my Substitutes, in a Court to be holden by us, or any of us, at upon the Day of in the Hour of Cause, at o'Clock, Forenoon, for the First Diet, there to plead Guilty or not Guilty, and to underlye the Law for the Crimes above mentioned ; and also, if required, upon the Day of for the Second Diet, at o'Clock, Forenoon, again to plead Guilty or not Guilty, and to underlye the Law as aforesaid ; as also, if required for the said Second Diet, alternately, that ye summon an Assize hereto, being not fewer than the Number of Forty-five Persons, together with such Witnesses as best know the Verity of the Premises, whose Names are hereto subjoined in a List subscribed by the Complainer personally, or at their Dwelling Places, all to compear before me or any of my Substitutes, Time and Place of said Second Diet of Compearance.

[*And so on to the End of the Will now in common Use.*]

CAP. LXXXI.

An Act to reduce the Salary and Emoluments of the Registrar of Meetings of the Court of Bankruptcy.—
[15th August 1853.]

CAP. LXXXII.

An Act to provide for the future Regulation and Management and the permanent Endowment of "The College

College of Christ of Brecknock," founded by King Henry the Eighth, with permissive Powers to unite the same with Saint David's College.—[15th August 1853.]

CAP. LXXXIII.

An Act to amend an Act of the Fourteenth and Fifteenth Victoria, Chapter Ninety-nine.—[20th August 1853.] (This Act does not extend to Scotland.)

CAP. LXXXIV.

An Act to amend the Passengers Act, 1852, so far as relates to the Passages of Natives of Asia or Africa, and also Passages between the Island of Ceylon and certain Parts of the East Indies.—[20th August 1853.]

CAP. LXXXV.

An Act for removing Doubts as to the Powers of the Registrar of Her Majesty's Privy Council to Administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence.—[20th August 1853.]

CAP. LXXXVI.

An Act to remove Doubts as to the Rights of the liberated Africans in Sierra Leone.—[20th August 1853.]

CAP. LXXXVII.

An Act to give to the Commissioners of Her Majesty's Works and Public Buildings extended Time and further Powers for completing the Embankment of the
the

the River Thames between Vauxhall and Battersea Bridges, and a new Street from Lower Sloane Street in connexion therewith.—[20th August 1853.]

CAP. LXXXVIII.

An Act to repeal the Duties payable in respect of Horses let for Hire, and to grant new Duties on Licences to let Horses for Hire.—[20th August 1853.]

WHEREAS it is expedient to repeal the Duties now payable in respect of Horses let for Hire, and on Licences to let Horses for Hire, and in lieu thereof to impose other Duties on such Licences: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Tenth day of *October* One thousand eight hundred and fifty-three the Duties now payable in *Great Britain* under the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and twenty, or any other Act or Acts, for or in respect of Horses let for Hire, and on Licences to let Horses for Hire, and all Clauses, Provisions, and Regulations for levying, collecting, and securing the said Duties, but so far only as they relate to such Duties, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to any of the said Duties which shall have been charged or incurred on and before the said Tenth Day of *October* One thousand eight hundred and fifty-three, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears or in relation thereto, all which said Duties and Arrears, Fines and Penalties, so excepted as aforesaid, shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

Duties on Horses let for Hire and on Licences to let Horses repealed.

II. In lieu of the said Duties hereby repealed there shall be granted, raised, levied, collected, and paid from and after the said Tenth Day of *October* One thousand eight hundred and fifty-three, unto and for the Use of her Majesty, Her Heirs and Successors, in and throughout *Great Britain*, for and in

Grant of new Duties on Licences to let Horses for Hire.

respect

respect of every Licence to be taken out yearly by every Person who shall let any Horse for Hire with or without any Carriage to be used therewith, the following Duties ; (that is to say,)

	Duty.		
	£	s.	d.
Where the Person taking out such Licence shall keep at one and the same Time to let for Hire One Horse or One Carriage only	7	10	0
And where such Person shall keep as aforesaid any greater Number of Horses or Carriages—			
Not exceeding Two Horses or Two Carriages	12	10	0
Not exceeding Four Horses or Three Carriages	20	0	0
Not exceeding Eight Horses or Six Carriages	30	0	0
Not exceeding Twelve Horses or Nine Carriages	40	0	0
Not exceeding Sixteen Horses or Twelve Carriages	50	0	0
Not exceeding Twenty Horses or Fifteen Carriages	60	0	0
Exceeding Fifteen Carriages	70	0	0
Exceeding Twenty Horses, then for every additional Number of Ten Horses, and for any additional Number less than Ten over and above Twenty or any other Multiple of Ten Horses, the further additional Duty of	10	0	0

Duties granted to be Duties of Excise under the Care of the Commissioners of Inland Revenue.

III. The said Duties by this Act granted shall be denominated and deemed to be Duties of Excise, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, and Penalties, contained in or enacted by any Act or Acts in force for securing the Duties of Excise, or any of them, or otherwise in relation thereto, shall in all Cases not herein expressly provided for, and so far as the same are not superseded or expressly repealed by and are consistent with the express Provisions of this Act, be duly observed, applied, practised, and put in execution for charging, raising, levying, collecting, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if

if the same Powers, Provisions, Clauses, Regulations, Directions, Fines, Forfeitures, and Penalties were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

IV. Every Person who shall let any Horse for Hire to be used either as a Saddle Horse or for drawing any Carriage conveying any Person or for drawing any Hearse shall, before he shall let any such Horse for Hire, take out a proper Licence for that Purpose under this Act to be granted by the Collector or other Person having charge of the Collection, and the Supervisor of Excise within the Collection and District in which the Person requiring such Licence shall reside or carry on the Business of letting Horses for Hire, or by such other Person or Persons as the Commissioners of Inland Revenue shall appoint or authorize in that Behalf, on Payment of the Duty chargeable on such Licence.

Persons who let Horses for Hire to take out Licences under this Act.

V. Provided always, That no Person shall be required to take out any such Licence as aforesaid in respect of any Horse used in drawing any public Stage Carriage duly licensed by the Commissioners of Inland Revenue, or their proper Officer, or in respect of any Horse used in drawing any Hackney Carriage duly licensed by the like Authority, such Hackney Carriage being regularly and constantly used for the Purpose of standing or plying for Hire in the public Streets or Roads within the Limits of the Act passed in the present Session of Parliament, Chapter Thirty-three, for the better Regulation of Metropolitan Stage and Hackney Carriages, provided such Hackney Carriage shall be hired within and shall not be used to go beyond such Limits.

Not to extend to Horses used in licensed Stage or Hackney Carriages.

VI. Every Person applying for any such Licence as aforesaid shall, before the same shall be granted to him, fill up and sign a printed Form of Requisition for such Licence to be provided by the Commissioners of Inland Revenue, for that Purpose, and shall insert and set forth therein his full and true Christian Name and Surname and Place of Abode, and the Place or Places where he carries on or intends to carry on the Buisness of letting Horses for Hire, and shall also specify and set forth in such Form fully and truly the greatest Number of Horses and Carriages respectively which such Applicant has at any One Time within the Space of One Year immediately preceding such Application kept to be let for Hire, and the Duty on the Licence to be granted on such Requisition shall be charged according to the greatest Number of such Horses or Carriages so kept, whichever may give the higher Rate of Duty: Provided always, that it shall be lawful for any Person applying for such Licence as aforesaid to

Persons applying for Licence to sign a Requisition containing certain Particulars.

require a Licence to be granted to authorize him to keep and let for Hire at One Time a greater Number of Horses and Carriages respectively than the greatest Number thereof which he so kept in the previous Year, and in such Case the Duty chargeable under this Act upon such Licence shall be charged in respect of the Number of Horses or Carriages which such Licence shall authorize to be so kept; and it shall also be lawful for any Person applying for such Licence as aforesaid who shall not within the Year preceeding have kept any Horses or Carriages to be let for Hire to specify in the Requisition for such Licence any Number of Horses and Carriages intended to be kept by him to be let for Hire, and to require a Licence to be granted to authorize him to keep and let for Hire such Number of Horses and Carriages, and upon Payment of the Duty chargeable under this Act in respect of such Number of Horses or Carriages such Licence shall be granted to him accordingly.

Particu-
lars to be
specified in
Licences.

VII. There shall be specified in every such Licence to be granted under this Act the true Christian Name and Surname and Place of Abode of the Person to whom the same shall be granted, the Sum paid for such Licence, and the greatest Number of Carriages and Horses respectively which the same will authorize to be kept at One Time to be let for Hire, and the Place or several Places where such Person shall carry on or intend to carry on the Business of letting Horses or Carriages for Hire.

Com-
mence-
ment and
Expira-
tion of
Licences.

VIII. Every Licence to let Horses for Hire which shall be granted under this Act shall have effect and continue in force from the Day of the Date thereof until the Day herein-after appointed for the Expiration thereof, both Days inclusive; and every such Licence which shall be granted before the Sixth Day of *April* One thousand eight hundred and fifty-four, shall expire on the Fifth Day of *April* One thousand eight hundred and fifty-four, and every such Licence which shall be granted upon or at any Time after the said Sixth Day of *April* One Thousand eight hundred and fifty-four shall expire on the Fifth Day of *April* next after the Day of the granting thereof, or if granted on the Fifth Day of *April* in any Year such Licence shall expire with the Day on which the same shall be granted.

Renewal of
Licences.

IX. Every Person to whom any such Licence as aforesaid shall be granted, and who shall be desirous of continuing the Business of letting Horses for Hire after the Expiration thereof shall take out a fresh Licence for that Purpose for the following Year, to expire on the Day herein-before appointed in that Behalf, and shall so renew the same from Year to Year,

Year, so long as he shall desire to continue such Business and shall pay the Duty by this Act charged on every such Licence; and every such person shall give Notice in Writing Twenty-one Days at least before the Expiration of the current Licence to him granted of his Intention to renew the same to the Collector or Supervisor or other Person authorized to grant such Licences for the District or Place at which such Business is intended to be carried on; and where such Notice shall have been given the new Licence shall bear Date on the Day next after the Day of the Expiration of the former Licence, but if such Notice shall not have been given the Licence shall bear Date on the Day of the Application for the same.

X. Provided always, That upon any Licence to let Horses for Hire which shall be taken out before the Sixth Day of *April* One thousand eight hundred and fifty-four a proportionate Part only of the annual Duty by this Act charged on a yearly Licence shall be paid in respect of the Portion of a Year for which such Licence will be granted; (that is to say,) if such Licence shall be taken out before the Sixth Day of *January* One thousand eight hundred and fifty-four there shall be paid for the same One Half of the said annual Duty, and if such Licence shall be taken out upon or after the said Sixth Day of *January* and before the Sixth Day of *April* One Thousand eight hundred and fifty-four there shall be paid for the same One Fourth Part of the said annual Duty.

XI. Provided also, That when any Person shall be desirous of beginning to exercise the Business of letting Horses for Hire at any Time after the said Sixth Day of *April* One thousand eight hundred and fifty-four, such Persons not having before taken out any Licence in that Behalf, it shall be lawful to grant such Licence for the Remainder of the current Year ending on the Fifth Day of *April* next after the granting of such Licence, upon Payment of the full annual Duty by this Act imposed on such Licence, or a proportionate Part only of such Duty, according to the Directions herein-after given in such case; (that is to say,) if such Licence shall be taken out at any Time within the Quarter of a Year ending on the Fifth Day of *July* in any Year, the same shall be granted upon Payment of the whole of the said annual Duty; and if such Licence shall be taken out at any Time within the Quarter ending on the Tenth Day of *October* in any Year, the same shall be granted upon Payment of Three Fourth Parts only of the said annual Duty: and if such Licence shall be taken out at any Time within the Quarter ending on the Fifth Day of *January* in any Year, the same shall be granted upon Payment of One Half

A proportionate Part of the yearly Duty to be paid on Licences taken out before 6th April 1854.

Licences to Persons commencing Business to be granted on Payment of a Proportionate Part of the Duty according to the Quarter in which they are taken out.

Half only of the said annual Duty; and if such Licence shall be taken out at any Time within the Quarter ending on the Fifth Day of *April* in any Year, the same shall be granted upon Payment of One Fourth Part only of the said annual Duty.

Persons before Licence shall not be entitled to take out Licence on Payment of less than the annual Duty unless their former Licence expired at least One Year previously.

XII. Provided always, That no Person who shall at any Time have taken out, either under this or any former Act, a Licence to let Horses for Hire, and who shall after the Expiration of such Licence apply for a New Licence to let Horses for Hire under this Act, either on the same or on other or different Premises from those on which he before carried on the Business of letting Horses for Hire, shall be deemed to be a Person beginning to exercise the said Business within the Meaning of this Act so as to entitle him to take out such Licence upon Payment of a proportionate Part only of the annual Duty by this Act thereon imposed, but every such Person shall pay the whole of such annual Duty, unless the Period between the Expiration of the former Licence and the taking out of the new Licence shall be at least a Period of One Year.

Persons desirous of keeping to let for Hire a greater Number of Horses or Carriages than specified in Licence may take out a supplemental Licence.

XIII. Provided always, That if any Person to whom any Licence to let Horses for Hire shall have been granted under this Act shall be desirous during the Existence of such Licence of keeping to let for Hire any greater Number of Horses or Carriages than such Licence shall authorize him to keep for that Purpose, it shall be lawful for him to apply for and require to be granted to him a supplemental Licence to authorize him to keep and let for Hire such additional Number of Horses or Carriages, or both, as shall be specified in the Requisition to be signed by him in that Behalf, and such supplemental Licence shall be granted accordingly on Payment of such Sum for the Duty thereon as would be payable by a Person then beginning the Business of letting Horses for Hire for a Licence to keep and let for Hire the Number of Horses and Carriages respectively specified in such supplemental Licence for the Remainder of the current Year ending on the Fifth Day of *April* next following.

Persons intending to let Horses for Hire to make Entry of their Stables and Coach-houses.

XIV. Before any such Licence as aforesaid shall be granted to any Person, and before any Person shall let any Horse for Hire for any of the Purposes mentioned in this Act, such Person shall make a true and particular Entry in Writing signed by him of every Stable, Coach-house, Shed or other Building in which he shall keep or intend to keep any Horse or Carriage to be let for Hire, and shall deliver such Entry to the proper Officer of Excise, and in default thereof such Person shall forfeit for every unentered Stable, Coach-house, Shed, or other Building

Building in which he shall keep any Horse or Carriage to be let for Hire, or any Horse or Carriage which he shall let for Hire, the Sum of One hundred Pounds.

XV. If any Person shall let any Horse for Hire, to be used for any of the Purposes in this Act mentioned, without having obtained a proper Licence in that Behalf, or if any Person shall at any One Time keep to be let for Hire a greater Number of Horses or Carriages than he shall by such Licence be authorized to keep at One Time to be let for Hire, such Person shall for every such Offence forfeit the Sum of One hundred Pounds.

XVI. From and after the passing of this Act, it shall not be lawful for any Person, other than the Solicitor or some other Officer of Inland Revenue, to inform or prosecute before any Justice of the Peace for the Recovery of any Penalty imposed by or incurred under any Act or Acts now in force or this Act, with relation to Horses let for Hire or the Duties thereon.

Penalty for letting Horses for Hire without Licence, or keeping a greater Number of Horses, &c. than Licence authorizes. None but Officers of Inland Revenue to prosecute before Justices for Penalties.

CAP. LXXXIX.

An Act to regulate the Admission of Professors to the Lay Chairs in the Universities of Scotland.—[20th August 1853.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the passing of this Act it shall not be necessary for any Person who shall have been or shall be elected, presented, or provided to the Office of Professor, Regent, Master, or other Office in any of the Universities or Colleges in *Scotland*, such Office not being that of Principal or a Chair of Theology, to make and subscribe the Acknowledgment or Declaration mentioned in an Act passed in the Fourth Session of the First Parliament held in *Scotland* by her Majesty Queen *Anne*, intituled *Act for securing the Protestant Religion and Presbyterian Church Government*.

II. Every Person hereafter to be elected, presented, or provided to any such Office shall make and subscribe, in Presence of the Senatus Academicus of such University or College, the Declaration following:

'I *A. B.* do solemnly and sincerely, in the presence of God, 'profess, testify, and declare, That as Professor of _____, 'and in the Discharge of the said Office, I will never endeavour, 'directly

Professors, &c. not required to subscribe Confession of Faith.

Professors, &c. to make Declaration previous to Admission.

‘directly or indirectly, to teach or inculcate any Opinions opposed to the Divine Authority of the Holy Scriptures, or to the Westminster Confession of Faith as ratified by Law in the Year One thousand six hundred and ninety, and that I will not exercise the Functions of the said Office to the Prejudice or Subversion of the Church of Scotland as by Law established, or the Doctrines and Privileges thereof.’

Declaration to be registered.

And such Declaration shall be recorded by the Senatus Academicus of the University or College in which the Office is held, before any such Person shall enter on the Functions of such Office.

Professor sued for Non-compliance with the Act may offer, in Defence, to take Declaration.

III. If any Action or Proceeding at Law shall be raised against any Professor who at the Date of the passing of this Act shall be in the Exercise of the Functions of, or has been elected, presented, or provided to, any such Office, on the ground that such Professor had not complied with the Provisions of the said Act, it shall be a sufficient and conclusive Defence or Answer to such Action or Proceeding that such Professor is prepared to make and subscribe the Declaration above provided.

On Failure to make Declaration the Lord Advocate to apply to the Court of Session.

IV. In case any Person shall enter on the Functions of any such Office without having made such Declaration, or in Case any Person shall enter on or continue to exercise the Functions of any Chair of Theology without having complied with the Provisions of the said Act, it shall be competent to the Lord Advocate, upon Information to that Effect lodged with him, to present a Petition and Complaint to the Court of Session in either of the Divisions thereof, whereupon the said Court, after such Notice to the Party complained against as the Court shall deem adequate, shall inquire into the Matter of such Complaint in such Manner as they shall think fit; and if it shall be found that such Complaint is well founded, the said Court shall interdict such Professor or other Officer from exercising the Functions of such Office unless the Provisions of this Act or the said Act (as the Case may be) shall be forthwith complied with, and do otherwise therein as to the said Court shall seem just; and if such Person fails to comply with such Provisions within Two Months after such Interdict shall be granted, he shall *ipso facto* lose and amit all Right to such Office or Chair (as the Case may be) without any legal Proceeding.

Lord Advocate may present Complaint against

V. It shall be competent to the Lord Advocate, in the event of Information being laid before him charging any Professor with having wilfully violated the Declaration provided by this Act, and after due Inquiry, to present a Complaint against any such

such Professor to Her Majesty, and it shall be lawful to Her Majesty in Council thereupon to issue a Commission to inquire into the said Charge, and on the Report of such Commission to censure, suspend, or deprive such Professor, as may seem just.

VI. The Words "Chair of Theology" shall for the Purposes of this Act mean the Chairs of Divinity, Church History, of Biblical Criticism, and Hebrew, in any of the said Universities or Colleges, and the Office of Principal in the same, excepting that of *Marischal College, Aberdeen*, or the United College of *Saint Leonard's* and *Saint Salvator's, Saint Andrew's*.

Professor violating Declaration, and Her Majesty may issue Commission to inquire, &c.

As to the Expression "Chair of Theology."

VII. The said Act, and all other Laws, Statutes, and Usages now in force, respecting Admission to the Lay or Secular Chairs and Offices in such Universities and Colleges, shall be and the same are hereby repealed in so far as inconsistent with this Act, but the same shall remain in full Force and Effect in all other respects whatsoever: Provided always, that nothing in this Act contained shall alter or affect the relative Rights of any Patron or Patrons, or any Senatus Academicus in such Universities or Colleges, excepting as herein-before provided.

All Laws and Statutes, so far as inconsistent with this Act, repealed.

CAP. XC.

An Act to repeal certain Duties of Assessed Taxes, and to grant other Duties of the same Description; and to amend the Laws relating to the Application of the Monies arising from the Redemption and Purchase of the Land Tax.—[20th August 1853.]

WHEREAS it is expedient to repeal the several Duties of Assessed Taxes herein-after described or mentioned, and to grant other Duties of the like Description in lieu thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-four in *England, Wales, and Berwick-upon-Tweed*, and from and after the Twenty-fourth Day of *May* in the same Year in *Scotland*, the several Duties of Assessed Taxes now payable in *Great Britain* under or by virtue of any Act or Acts now in force, for or in respect of Male Servants, Carriages, Horses, Mules, Dogs, Hair Powder, and Armorial Bearings or Ensigs respectively, and also all the

From and after 5th April 1854 in England, &c., and 24th May 1854 in Scotland, certain Duties of Assessed

Provisions,

Taxes re-
pealed.

Provisions, Rules, and Regulations relating to such Duties contained in the several Schedules marked respectively (C.), (D.), (E.), (F.), (G.), (I.), (K.), and (M.), annexed to an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, Chapter Fifty-five, and the several Schedules marked respectively (C.), (D.), (E.), (F.), (G.), and (M.), annexed to an Act passed in the Fifty-second Year of the said King's Reign, Chapter Ninety-three, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to all Arrears of the said Duties, or any of them, and as to all Assessments thereof made or which ought to be made for any Year prior to the Year commencing from and after the respective Times aforesaid, and as to any Penalties incurred in relation to the said Duties or any of them, all which said Arrears, Duties, Assessments, and Penalties shall and may respectively be recovered, levied, and applied in the same Manner as if this Act had not been passed.

Duties of
Assessed
Taxes
granted in
lieu of
Duties re-
pealed.

II. In lieu of the Duties so repealed by this Act, there shall be assessed, raised, levied, and paid unto and for the Use of Her Majesty, Her Heirs, and Successors, in and throughout *Great Britain*, for or in respect of Male Servants, Carriages, Horses, Mules, Dogs, Hair Powder, and Armorial Bearings or Ensigns respectively, the several Duties of Assessed Taxes described or mentioned and set forth in the several Schedules to this Act annexed marked respectively (C.), (D.), (E.), (G.), (I.), and (K.), subject only to the Exemptions contained in the said Schedules respectively, and in the Schedule marked (M.) also annexed to this Act, which said several Schedules, and the Duties therein set forth, and the Rules, Regulations, and Exemptions therein contained in relation to the said Duties, shall be deemed and construed to be a Part of this Act, and as if the same were incorporated therewith under a special enactment.

Duties to
be under
the Man-
agement
of Commis-
sioners of
Inland Re-
venue, and
to be as-
sessed un-
der the
Provisions
of the Acts
relating to
Assessed
Taxes.

III. The Duties granted by this Act shall be under the Direction and Management of the Commissioners of Inland Revenue, and shall be assessed, raised, levied, paid, and accounted for under the Regulations and Provisions of the several Acts in force in relation to the Duties of Assessed Taxes; and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said Acts respectively, and not expressly repealed by this Act, shall, in all Cases not expressly provided for by this Act or the several Schedules hereto annexed, and so far as the same are not superseded by and are consistent with the express Provisions of this Act and of the said Schedules, be duly observed, applied, practised, and put in execution for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted and other-

wise

wise relating thereto, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

IV. Provided, That no Exemption from the Duties granted by this Act, except such Exemptions as are expressly contained in and given by this Act or the respective Schedules hereto annexed, shall be granted or allowed; and every Exemption given by this Act or the said respective Schedules shall be duly returned, together with a Declaration of the Cause thereof, by the Person claiming the same, in the Manner directed by the Thirty-sixth Section of the Act passed in the Forty-third Year of the Reign of King *George the Third*, Chapter One hundred and sixty-one, or in default thereof such Exemption shall not be allowed.

V. Provided, That no Person retaining or employing any Servant, or keeping or using any Carriage, or any Horse or Mule, after the Fifth Day of *April* One thousand eight hundred and fifty-three, in respect of which Servant, Carriage, Horse, or Mule, Exemption from the Duties of Assessed Taxes is granted by any Act in force immediately before the passing of this Act, shall be liable to be assessed or charged with the Duties granted by this Act in respect of such Servant, Carriage, Horse, or Mule for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-four, provided such Person shall not retain or employ such Servant, or keep or use such Carriage, Horse, or Mule, at any Time after the Tenth Day of *October* One thousand eight hundred and fifty-three in *England, Wales, or Berwick-upon-Tweed*, or after the Twenty-second Day of *November* in the same Year in *Scotland*.

VI. Nothing in this Act contained shall be deemed or construed to annul or affect any Contract of Composition for the Duties of Assessed Taxes made under the Provisions of the Acts in that Behalf, and which shall be in force at the Time of the passing of this Act, but every such Contract shall continue in force until the Expiration of the Term for which the same was made, as if this Act had not been passed: Provided always, that it shall be lawful for any Person who has entered into Composition for the said Duties by any such Contract as aforesaid, if he shall think fit, to determine the same on the Fifth Day of *April* One thousand eight hundred and fifty-four, by giving Notice in Writing, signed by him, of his Intention so to determine such Contract, to the Surveyor of Taxes for the District in which he shall reside, on or before the Tenth Day of *October* One thousand eight hundred and fifty-three; and if

No Exemption, except those contained in this Act, to be allowed.

Exemptions to be returned and claimed as directed by 43 G. 3. c. 161.

Persons keeping or using Articles exempted under existing Acts not liable to be assessed under this Act for the Year 1854, on ceasing to keep or use such Articles before a certain Period.

This Act not to annul Contracts of Composition, but Persons who have compounded may determine such Contracts, on giving Notice.

such Person shall at the same Time and in the like Manner give Notice to the said Surveyor of his Intention to discontinue the Use of any increased Establishment, or any Part thereof, not included in such Composition, and shall actually cease to keep the same One Calendar Month before the said Fifth Day of *April* One thousand eight hundred and fifty-four, he shall not be chargeable in the Assessment of the said Duties for the Year commencing from the said last-mentioned Day for such increased Portion of his Establishment respecting which he shall have given such Notice of his Intention to discontinue, and which he shall actually have discontinued as aforesaid.

The Word
"Horse"
to include
Mare or
Gelding.

VII. In construing this Act and the Schedules hereto annexed respectively the Term "Horse" shall be construed and deemed to mean and include a Mare or Gelding as well as a Horse.

Monies
arising
from Land
Tax Re-
demption
may be
applied in
the Pur-
chase of
Stocks or
Annuities
chargeable
on Consoli-
dated
Fund.

VIII. From and after the passing of this Act it shall be lawful for the Commissioners for the Reduction of the National Debt from Time to Time to lay out the Monies arising from the Redemption or Purchase of the Land Tax under any Act or Acts in force in that Behalf in the Purchase and cancelling of any Parliamentary Stocks or Annuities chargeable upon and payable out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

SCHEDULES to which this Act refers.

SCHEDULE (C.)

A SCHEDULE of the DUTIES payable annually for every MALE SERVANT retained or employed in any of the several Capacities herein mentioned.

	Annual Duty for each Servant.		
	£	s.	d.
For every such Servant of the Age of Eighteen Years or upwards	1	1	0
And for every such Servant under the Age of Eighteen Years	0	10	6

RULES for charging the said DUTIES.

1. The said Duties to be paid by the Master of such Servant, and to extend to and be payable for every Male Servant retained or employed in any of the following Capacities; (that is to say,) Maitre d'Hotel, House Steward, Master of the Horse, Groom of the Chamber, Valet de Chambre, Butler, Under Butler, Clerk of the Kitchen, Confectioner, Cook, House Porter, Footman, Running Footman, Coachman, Groom, Postilion, Stable Boy, or Helper in the Stables of the Master, Gardener, Park-keeper, Gamekeeper, Huntsman, Whipper-in, or by whatever Name or Names Male Servants really acting in any of the said Capacities shall be called, or whether such Male Servants shall have been retained or employed in One or more of the said Capacities, and to every such Servant let to Hire with any Carriage or Horses, and shall be charged upon the greatest Number of Servants which the said Master shall have kept at One Time in the course of the preceding Year in any of the Capacities before mentioned; provided that where any such Servant shall be let to Hire with any Carriage or Horses for One Year or any longer Period, the said Duties shall be charged upon the Person hiring such Servant, and in any other case (except where Exemption is herein-after granted) the said Duties shall be charged upon the Person letting such Servant to Hire; provided that if the Person hiring any such Servant shall not make a due Return thereof according to the Directions of the Acts in force, stating therein the Name and Place of Abode of the Person letting such Servant to Hire, the Person hiring such Servant shall be chargeable with the said Duties.

2. The said Duties shall extend to every Male Person employed in any of the Capacities aforesaid, and not being a Servant to his Employer, if such Employer shall be chargeable to the Duty by this Act imposed on a Servant or Carriage, or for more than One Horse.

3. The said Duties shall extend to all Servants employed as Waiters to wait on Guests or in any of the Capacities before mentioned in Taverns, Coffee Houses, Inns, Alehouses, or any other Houses licensed to sell Wine, Ale, or other Liquors by Retail, and in Eating or Victualling Houses, and in Hotels or Lodging Houses, of whatever Description, although not licensed, except occasional Waiters.

4. The said Duties on Gardeners shall extend to every Gardener who shall have contracted for the keeping of any Garden or Gardens wherein the constant Labour of a Person shall be necessary, or where a Person shall have been constantly employed

employed therein, to be paid by the Person for whose Use and in whose Garden such Gardener or Person shall have been employed; provided that no Person shall be deemed to be a Gardener unless the whole or the greater Part of his Time shall be employed as a Gardener in a Garden requiring the greater Part of the Labour of One Person; provided also, that any Person employing any Under Gardener shall be chargeable for such Under Gardener at the Rate of 10s. 6d. only.

5. The said Duties upon Gamekeepers shall extend to every Person retained or employed to kill or preserve Game for the Use of any other Person, whether lawfully appointed to kill or preserve Game or not, to be paid by the Person retaining or employing such Persons respectively for the Uses aforesaid, except Gamekeepers being the Servants of other Persons, and duly returned by and charged to the said Duties as Servants of such other Persons: Provided always, that any Person employed to preserve Game under a Gamekeeper duly appointed shall be chargeable at the Rate of 10s. 6d. only.

6. The said Duties shall extend to every Person who shall be employed in the Capacity of a Coachman, Postilion, Groom, or Helper in the Stables, although such Person shall have been retained for the Purposes of Husbandry or any Manufacture or Trade, where the Master of such Person shall be chargeable with Duty for any Carriage, or for Two or more Horses chargeable with the Duty on Horses kept for the Purpose of riding or drawing Carriages.

EXEMPTIONS.

1. The said Duties not to be payable by any of the Royal Family for any Servant acting in any of the Capacities aforesaid.

2. Nor by any General Officer or Officer of the Staff in the Army, or any Officer serving in any Regiment of Horse or Dragoons, or in any Regiment of Artillery, Infantry, Royal Marines, Royal Garrison Battalions, or Corps of Engineers, for so many Male Servants, being actually Soldiers in the Army, as are or may be allowed to them respectively by the Regulations of the Public Service, in whatever Capacity any such Soldier may be employed.

3. Nor by any Officer of Her Majesty's Navy in actual Employ, for any Number of Servants borne upon the Books of the Ship to which such Officer shall belong, and employed by him, in whatever Capacity any such Servant may be employed.

4. The said Duties not to be payable for any Male Servant or Person under the Age of Twenty-one Years, being the Son
or

or Grandson of and residing with his Employer, and actually a Member of his Household.

5. Nor for any Person retained or employed in any of the Capacities enumerated in this Schedule in the Room of others who may be called out under any Act for training and exercising a Military Force within the Kingdom, during the Time of such training and exercising.

6. Nor for One Male Person employed by any Licensed Victualler *bonâ fide* and generally to carry out Beer, Ale, or other Liquors to Customers, although he may be occasionally required to wait on Guests; provided such Licensed Victualler shall employ only One such Male Person.

7. Nor for any Male Servant or Person employed as an Ostler or Helper in the Stables of any Licensed Innkeeper.

8. Nor for any Male Servant or Person employed as Groom, Stable Boy, or Helper in the Stables by the several Persons herein-after mentioned, solely and *bonâ fide* in their respective Businesses; (that is to say,) by any Livery Stable Keeper, or any Horse Dealer, or any Person licensed to let Horses for Hire, or to keep and use any Stage Carriage or any Hackney Carriage; nor for any Male Servant or Person employed by any such licensed Person to drive any licensed Stage Carriage or any licensed Hackney Carriage, or any Carriage with any Horse let to Hire for any Period less than Twenty-eight Days.

9. Nor for any Male Person employed by any Stable Keeper, for or in expectation of Profit, solely and *bonâ fide* to take care of any Horse kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money, or in training for any such Purpose.

SCHEDULE (D.)

A SCHEDULE of the DUTIES payable annually on all CARRIAGES of any of the Descriptions herein mentioned.

	Annual Duty for each Carriage.
For every such Carriage with Four Wheels :	
Where the same shall be drawn by Two or more Horses or Mules	£ s. d. 3 10 0
And where the same shall be drawn by One Horse or Mule only	2 0 0
For every Carriage with Four Wheels, each being of less Diameter than Thirty Inches :	
Where the same shall be drawn by Two or more Ponies or Mules, neither of them exceeding Thirteen Hands in Height . .	1 15 0
	And

	Annual Duty for each Carriage.
And where the same shall be drawn by One such Pony or Mule only	£ s. d. 1 0 0
For every Carriage with less than Four Wheels: Where the same shall be drawn by Two or more Horses or Mules	2 0 0
And where the same shall be drawn by One Horse or Mule only	0 15 0
And where the same shall be drawn by One Pony or Mule only not exceeding Thir- teen Hands in Height	0 10 0
And where any such Carriage shall be kept and used solely for the Purpose of being let for Hire	One Half of the above-men- tioned Duties respectively.
For every Carriage used by any Common Carrier principally and bonâ fide for and in the carrying of Goods, Wares, or Merchandise whereby he shall seek a Livelihood, where such Carriage shall be occasionally only used in con- veying Passengers for Hire, and in such Manner that the Stage Carriage Duty or any Composition for the same shall not be payable under any Li- cence by the Commissioners of Inland Revenue:	
Where such last-mentioned Carriage shall have Four Wheels	2 6 8
And where the same shall have less than Four Wheels	1 6 8

RULES for Charging the said DUTIES.

1. The said Duties to be respectively charged for every Coach, Landau, Chariot, Chaise, Sociable, Caravan, Curricie, Chair, or Car, and for every other Carriage constructed for the like Purposes, by whatever Name or Names the same shall be called or known, and upon all such Carriages hired by the year, or any longer Period, and upon all such Carriages kept to be let out to Hire.

2. The Duty on Carriages kept to be let out to Hire to be paid by the Person keeping the same for such Purpose, and to be charged on the greatest Number of such Carriages which shall have been kept at any One Time and which shall have been actually let during the preceding Year; provided that if a due Return thereof shall not be made by the Hirer of any such Carriage, according to the Directions of the Acts in force, stating

stating therein the Name and Place of Abode of the Person letting the same to Hire, such Hirer shall be chargeable with the said Duties.

EXEMPTIONS.

1. Any Carriage belonging to Her Majesty or any of the Royal Family.

2. Any Carriage licensed by the Commissioners of Inland Revenue to be used as a Hackney Carriage.

3. Any Carriage kept and used solely as a Public Stage Carriage for the Purpose of conveying Passengers for Hire under a Licence in that Behalf.

4. Any Carriage bonâ fide and solely kept and used for the Purpose of being let for Hire, with a Horse or Horses to be used therewith, by any Person duly licensed to let Horses for Hire; provided that no Exemption shall be allowed for any greater Number of Carriages than such Person shall be licensed to keep at One Time for the Purpose of being let for Hire as aforesaid.

5. Any Waggon, Van, Cart, or other such Carriage which shall be kept truly and without Fraud to be used solely in the Course of Trade or in the Affairs of Husbandry, and whereon the Christian Name and Surname and Place of Abode of the Owner shall be legibly painted; provided that such Carriage shall not on any Occasion be used for any Purpose of Pleasure, or otherwise than as aforesaid, except for conveying the Owner thereof or his Family to or from any Place of Divine Worship.

SCHEDULE (E.)

A SCHEDULE of the DUTIES payable annually for HORSES and MULES kept or used for the Purpose of riding, or of drawing any Carriage chargeable with Duty.

	Annual Duty for each Horse or Mule.		
	£	s.	d.
For every Horse kept or used for the purpose of racing or running for any Plate, Prize, or Sum of Money or other Thing, or kept in training for any of the said last-mentioned Purposes.	3	17	0
For every other Horse, and for every Mule, exceeding respectively the Height of Thirteen Hands of Four Inches to each Hand, kept for the Purpose of riding, or drawing any Carriage chargeable with Duty, except Horses chargeable under Schedule (F.) of this Act . . .	1	1	0

SCHE-

SCHEDULE (F.)

A SCHEDULE of the DUTIES payable annually for all HORSES and MULES not charged with Duty under Schedule (E.) of this Act.

	Annual Duty for each Horse or Mule.		
	£	s.	d.
For every Horse and Mule exceeding respectively the Height of Thirteen Hands and not chargeable under Schedule (E.) of this Act	0	10	6
For every Pony or Mule, not exceeding the Height of Thirteen Hands, kept for the Purpose of riding, or drawing any Carriage chargeable with Duty	0	10	6
And for every such Pony or Mule as last mentioned kept for any other Purpose	0	5	3

RULES for charging the said DUTIES contained in SCHEDULES (E.) and (F.)

1. Any Person bonâ fide following the Occupation of a Farmer, and making a Livelihood principally by Husbandry on any Farm or Farms in his Occupation, shall be entitled to keep and use One Horse for the purpose of riding, or of drawing any Carriage chargeable with Duty, and shall be chargeable for such Horse with the Duty of 10s. 6d. only.

2. Any Rector, Vicar, or Curate actually doing Duty in the Church or Chapel of which he is Rector, Vicar, or Curate (except such Person who shall occasionally perform the Duty appertaining to any Rector, Vicar, or Curate, without being the regular officiating Minister of the Parish or Place in which such Duty shall be performed); and any Minister of the Established Church of Scotland or of any other Church or Religious Sect or Persuasion in Scotland, being the regular ordained or officiating Minister of a Parish or quoad sacra Church or Chapel of Ease in connexion with the said Established Church, or of a Congregational Connexion with any such other Church or Religious Sect or Persuasion, and not following any secular Occupation whatsoever; and any Priest of the Roman Catholic Faith who shall have duly taken and subscribed the Oaths and Declarations required by Law; and any Minister, Teacher, or Preacher of any separate Congregation of Protestant Dissenters,

ers, whose Place of Meeting shall have been duly registered, such Teacher or Preacher having duly taken and subscribed the Oaths and Declaration required by Law, and not following any secular Occupation, except that of a Schoolmaster; and any Person practising as a Physician, Surgeon, or Apothecary, being duly qualified so to practise, shall respectively be entitled to keep and use One Horse for the Purpose of riding, or drawing any Carriage chargeable with Duty, and shall be chargeable for such Horse with the Duty of 10s. 6d. only; provided such Persons respectively shall not keep more than One Horse.

3. Any Person who shall keep one Horse or Mule *bonâ fide* for the Use of and which shall be usually employed by any Bailiff upon the Concerns of any Farm or Farms with which such Bailiff may be intrusted, or any One Horse or Mule *bonâ fide* for and usually employed by any Shepherd or Herdsman solely in tending Sheep or Cattle, shall be chargeable for any such Horse or Mule with the Duty of 10s. 6d. only.

4. The Duties by this Act granted on Horses kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money shall be charged either on the Proprietor of such Horses or on the Person having the Custody, Care, or Management of the same; provided, that such Proprietor shall be chargeable only for the greatest Number of such Horses which he shall have kept at any One Time during the preceding Year; and the Person having the Custody, Care, or Management of such Horses shall not be charged for any Horse which he shall prove the Proprietor to be assessed for.

EXEMPTIONS from the DUTIES contained in SCHEDULES (E.)
and (F.)

1. Any Horse belonging to Her Majesty or any of the Royal Family.

2. Any Person who shall keep any Horse which shall be used truly and without Fraud for the Purpose of Husbandry, or of drawing any Carriage not chargeable with any Duty, or of carrying Burdens in the Course of the Trade or Occupation of the Person to whom such Horse shall belong, for One such Horse used for riding on the Occasions and in manner hereinafter mentioned, (that is to say,) when returning from any Place to which any Load or Burden shall have by such Horse been drawn or carried, or in going to any Place from whence any Load or Burden shall be to be brought back by such Horse, or for the Purpose of procuring Medical Assistance; provided such One Horse shall not on any Occasion be used for any other Purpose, save as aforesaid.

3. Any Person duly licensed to keep any Stage Carriage for the Purpose of conveying Passengers for Hire at separate Fares in respect of any Horses solely used in drawing any such Stage Carriage.

4. Any Person duly licensed to let Horses for Hire, in respect of any Horse or Horses *bonâ fide* and solely kept and used by him for the Purpose of being let for Hire; provided that no Exemption shall be allowed for any greater Number of Horses than such Person shall be so licensed to keep at One Time for the Purpose of being let for Hire as aforesaid.

5. Any Person licensed by the Commissioners of Inland Revenue to keep any Hackney Carriage, in respect of any Horses solely used in drawing any such Hackney Carriage.

6. Any Dealer in Horses assessed to the Duties chargeable by Law on such Dealers shall be exempt from the Duties by this Act charged for all Horses belonging to such Dealer, and kept *bonâ fide* for sale, and not used for any other Purpose or in any other Manner.

7. Any Person in respect of any Horses or Mules kept and used solely for the Purpose of Husbandry, and any Person who shall keep any Number of Horses or Mules *bonâ fide* for the Purpose of Husbandry, some or all of which he may occasionally use for other Purposes in drawing Burdens, shall not be chargeable under Schedule (F.) of this Act for more than Two of such Horses or Mules kept on any One Farm, or at any One Parish or Place; provided that none of such Horses or Mules shall be used for any Purpose of Trade, or in drawing for Hire or Profit, or in drawing any Carriage chargeable with Duty.

8. Any Person *bonâ fide* following the Occupation of a Farmer, and making a Livelihood principally by Husbandry on any Farm or Farms in his Occupation, in respect of any Horses or Mules kept and used for the Purpose of Husbandry, although such Horses or Mules shall be occasionally used for other purposes in drawing Burdens, and although such Horses or Mules shall be occasionally used by such Person, or let by him for the Purpose of drawing for Hire or Profit; provided such Horses or Mules shall not be used for drawing any Carriage chargeable with Duty.

9. Any Person carrying on the Trade or Business of a Market Gardener, in respect of all Horses or Mules *bonâ fide* kept and used in the Cultivation of the Gardens or Lands in his Occupation, and in conveying the Produce thereof to or from Market.

10. Any Person in respect of any Mare which shall be kept for the sole Purpose of breeding.

11. Any

SCHE-

SCHEDULE (G.)

A SCHEDULE of the DUTIES payable annually on DOGS.

	Annual Duty for each Dog.		
	£	s.	d.
For every Dog, of whatever Description or Deno- mination the same may be - - - -	0	12	0

The said Duty to be paid by the Person keeping any Dog, or having the same in his Custody or Possession, whether the same be his Property or not, such Person not discovering the Owner thereof who shall have been duly assessed for the same.

Provided always, that no Person shall be chargeable with Duty to any greater amount than 39*l.* 12*s.* for any Number of Hounds, or 9*l.* for any Number of Greyhounds, kept by him in any Year.

EXEMPTIONS.

1. Any Dog belonging to Her Majesty or any of the Royal Family.

2. Any Person in respect of a Dog or Whelp which at the Time of returning the List of Dogs as required by the Acts in that Behalf shall not actually be of the Age of Six Calendar Months.

3. Any Person in respect of any Dog *bonâ fide* and wholly kept and used in the Care of Sheep or Cattle, or in driving or removing the same; provided no such Dog shall be a Greyhound, Hound, Pointer, Setting Dog, Spaniel, Lurcher, or Terrier.

SCHEDULE (I.)

A SCHEDULE of the DUTIES payable annually by PERSONS in respect of HAIR POWDER used or worn by them.

	Annual Duty.		
	£	s.	d.
By every Person who shall have used or worn any Hair Powder - - - -	1	3	6

RULES for charging the said DUTIES.

1. The said Rate or Duty to extend to every Sort or Composition of Powder used or worn by any Person as an Article of or in or about his or her Dress, by whatever Name the same shall be distinguished, and to be assessed upon and paid by the Person having used or worn the same within the Year preceding the Term for which the Assessment ought to be made, except as herein-after mentioned.

2. The Master of any Servant who shall have declared his Intention to pay the Duty which may be charged or chargeable as aforesaid in respect of such Servant, and shall in a List returned by him have given a true Account of all the Servants by him kept in respect of whom such Duty shall be payable, setting forth the several Capacities in which such Servants are respectively kept, shall be charged for every such Servant, and in such Case every such Servant shall be deemed to be exempted from the said Duties during his Continuance in the same Service, and also every Servant who shall come into the Service of such Master in the Room of such Servant named therein, to serve in the same Capacity, during the Year in which the Duty shall be so charged; and no Servant named in such List, nor any Servant serving such Master in any Capacity named in such List, shall during the Year for which such Duty shall be charged be required for himself to make any such Return, or to pay the said Duty, or be liable to any Penalty by reason of not making any such Return or not paying the said Duty.

EXEMPTION.

Any of the menial Servants of Her Majesty or any of the Royal Family.

SCHEDULE (K.)

A SCHEDULE of the DUTIES payable annually by Persons in respect of any ARMORIAL BEARING or ENSIGN used or worn by them.

	Annual Duty.		
	£	s.	d.
Where such Person shall be chargeable with the Duty of Assessed Taxes for any Carriage at the Rate of 3 <i>l.</i> 10 <i>s.</i> - - - - -	2	12	9
And where such Person shall not be so chargeable	0	13	2

RULES for charging the said DUTIES.

The said Duties to be paid by every Person having used any Armorial Bearing or Ensign, by whatever Name the same is or shall be called, within the Year preceding the Term for which the Assessment ought to be made, and to extend to every Person who within the said Period shall have been possessed of or shall have kept or had any Carriage, or any Seal, Plate, or other Article, on which Carriage, Seal, Plate, or other Article any Armorial Bearing or Ensign shall have been during the said Period painted, engraved, marked, or affixed, and whether such Armorial Bearing or Ensign shall be registered in the College of Arms or not.

EXEMPTIONS.

Any of the Royal Family, or any Person who shall by Right of Office have worn or used any of the Arms or Insignia worn or used by the Royal Family, or used in any City, Borough, or Town Corporate.

SCHEDULE (M.)

No. 1.

Further EXEMPTIONS from the DUTIES in the several Schedules marked (C.) (D.) (E.) (F.) and (G.)

All Persons having ordinarily resided in Ireland, and being Members of either House of the Parliament of the United Kingdom, whether on the Part of Ireland or for any Place in Great Britain, and all Persons who shall hereafter be Members of the said Parliament as aforesaid, and who shall have ordinarily resided in Ireland previous to the Commencement of the Session of Parliament in which they shall respectively serve in Parliament, and all Persons having ordinarily resided in Ireland as aforesaid who shall hereafter be ordinarily resident therein, and now holding or who shall hereafter hold Offices of public Employments in Ireland, and are now residing in Great Britain, or who shall hereafter reside in Great Britain, with the approbation or by the Order or Direction of the Lord Lieutenant or other Chief Governor or Chief Governors of Ireland for the Time being, or of his or their Chief Secretary for the Time being, and which shall be certified under the
Hand

Hand of the Lord Lieutenant or Chief Governor or Chief Governors, or his or their Chief Secretary, to be therein resident for the Purposes of assisting in the Execution of public Business, shall be wholly discharged and exempted from the Duties set forth in the Schedules to this Act annexed marked (C.) (D.) (E.) (F.) and (G.); provided that this Exemption shall not extend to any Person ordinarily resident in Ireland as aforesaid, being a Member of either House of Parliament of the United Kingdom, who hath resided or shall reside in Great Britain longer than during the Session of Parliament and Forty Days before and Forty Days after each Session, nor to any Article on which a Duty is by this Act made payable which shall be retained, kept, employed, or used by such Person in Great Britain during the Residence of such Person in Ireland; provided also, that this Exemption shall not extend to any Person ordinarily resident in Ireland as aforesaid holding an Office or Public Employment in Ireland, unless the Approbation in Writing or such Order or Direction of the said Lord Lieutenant or other Chief Governor or Chief Governors of Ireland for the Time being, or of his or their Chief Secretary for the Time being, and a Description of the Place of Abode in Great Britain of the Persons respectively holding such Offices or Employments, shall have been before the passing of this Act delivered into the Head Office of the Commissioners of Inland Revenue, or shall be so delivered within Twenty Days after the passing of this Act, with respect to Persons then in Great Britain, or within Thirty Days after the Arrival in Great Britain of such Persons respectively who shall thereafter arrive; provided also, that no Person shall for the Purposes of claiming this Exemption be deemed to be ordinarily resident in Ireland unless he shall reside therein during such Portion of the Year as is not covered by the Privilege herein provided; and for the better ascertaining the Fact of such Residence every person claiming the Benefit of this Exemption shall verify the same upon Oath (if required) before the Commissioners acting in the Execution of this Act in the District where such Person shall reside.

No. 2.

Further EXEMPTIONS from the DUTIES in the several SCHEDULES marked (C.) (D.) and (E.)

Any Sheriff of any County, or Mayor or other Officer in any Corporation or Royal Burgh, serving an annual Office therein, who during such Year of Service shall have kept or shall keep any Number of Servants, Carriages, or Horses greater than
the

the Number such Person was assessed to prior to the Year of such Service, and who shall have been assessed for such greater Number for One Year, shall be exempt from further Assessment for such greater Number for any other Year, although such Year of Service may have run into a Second Year of Assessment.

CAP. XCI.

An Act to extend for a limited Time the Provision for Abatement of Income Tax in respect of Insurances on Lives.—[20th August 1853.]

WHEREAS by the Act of the present Session (Chapter Thirty-four), "for granting to Her Majesty Duties "on Profits arising from Property, Professions, Trades, and "Offices," (Section Fifty-four), Provision is made for Deduction, Abatement, Allowance, or Repayment in favour of any Person (assessed or charged with the Duties therein mentioned) who should have made Insurance on his Life, or on the Life of his Wife, or should have contracted for any Deferred Annuity on his own Life, or on the Life of his Wife, in or with any Insurance Company which should become registered under any Act to be passed in the present Session of Parliament for that Purpose, and which should comply with the Requirements of such Act (in respect of the annual Premiums paid by him for such Insurance or Contract): And whereas (as it may happen that an Act for the Registration of Insurance Companies may not be passed in the present Session of Parliament) it is expedient that the Benefit of the recited Provision should for a limited Time be extended to Persons insuring or contracting with such Insurance Offices as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Any Person who shall have made any such Insurance or contracted for any such Deferred Annuity as in the said Provision mentioned, in or with any Insurance Company existing on the First Day of *November* One Thousand eight hundred and forty-four, or in or with any Insurance Company registered pursuant to the Act of the Session holden in the Seventh and Eighth Years of Her Majesty (Chapter One hundred and ten), "for the Registration, Incorporation, and "Regulation of Joint Stock Companies," shall be entitled to

all

16 & 17
Vict. c. 34.

Defining
Insurance
Offices in
which In-
surances
on Lives
may be
effected in
order to
give a
Right to
Abatement

all the Benefits and Advantages which by the said Provision are expressed to be given in respect of the like Insurance or Contract in or with any Insurance Company which shall become registered under any Act to be passed in the present Session of Parliament for that Purpose. of Income Tax.

II. This Act shall continue in force until the Fifth Day of *July* One thousand eight hundred and fifty-four. Continuance of Act.

CAP. XCII.

An Act to diminish the Number of Sheriffs in Scotland and to unite certain Counties in Scotland in so far as regards the Jurisdiction of the Sheriff.—[20th August 1853.]

WHEREAS it is expedient that the Number of Sheriffs in *Scotland* should be diminished, and that Provision should be made for uniting certain Counties in so far as regards the Jurisdiction of the Sheriff: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Whenever a Vacancy shall occur in the Office of Sheriff of any Counties or County specified in the Schedule hereunto annexed, such Counties or County and the other Counties or County named and included therewith in the said Schedule shall be united into one Sheriffdom, under the Title specified in the said Schedule, and the Functions of the Sheriff of the Counties or County in which the Vacancy shall occur shall thereupon devolve on and be discharged by the Sheriff of such other Counties or County so included therewith; and such Sheriff shall thereafter be and be denominated the Sheriff of the said united Counties and Sheriffdom, without the Necessity of any new Commission being issued in his Favour, and shall have and exercise all the Jurisdiction, Powers, Privileges, and Authority competent to the Sheriffs of the said Counties respectively. Counties specified in Schedule to be united, and Provision for Discharge of the Functions of Sheriff of the united Counties.

II. Whenever a Vacancy shall occur in the Office of Sheriff of the County of *Peebles* the said County shall be united with the County of *Mid-Lothian* into One Sheriffdom, to be called the Sheriffdom of *Mid-Lothian* and *Peebles*, and the Functions of the Sheriff of the said County of *Peebles* shall thereupon devolve on and be discharged by the Sheriff of *Mid-Lothian*, who shall be and shall be denominated the Sheriff of *Mid-Lothian*. County of Peebles to be united with County of Mid-Lothian.

Lothian and Peebles, without the Necessity of any new Commission being issued in his Favour, in like Manner and to the like Effect as is herein-before provided.

No separate Appointments to be made to the Office of Sheriff of Counties to be united, Saving Rights, Privileges, and Liabilities of Sheriffs of united Counties not to be entitled to additional Salary.

III. No separate Appointment shall hereafter be made to the Office of Sheriff of the said County of *Peebles*, or of any of the Counties specified in the said Schedule, but Appointment shall only be made to the Office of Sheriff of such united Counties or Sheriffdoms as Vacancies shall occur after such Union as aforesaid.

IV. Provided always, That, excepting as regards the Person by whom the Office of Sheriff shall be held and discharged, nothing herein contained shall affect or alter in any way the Rights, Privileges, or Liabilities of the said Counties respectively.

V. Provided also, That nothing herein contained shall give any Right to the Sheriff of any such united Counties to any additional Salary beyond that enjoyed by him as Sheriff of any Counties or County prior to any Vacancy occurring as aforesaid.

SCHEDULE referred to in the foregoing Act.

Counties to be united.	Title of Sheriffdom.	Title of Sheriff.
1. The County of Sutherland and the County of Caithness.	Sutherland and Caithness.	The Sheriff of Sutherland and Caithness.
2. The County of Banff and the Counties of Elgin and Nairn.	Banff, Elgin, and Nairn.	The Sheriff of Banff, Elgin, and Nairn.
3. The County of Linlithgow and the Counties of Clackmannan and Kinross.	Linlithgow, Clackmannan, and Kinross.	The Sheriff of Linlithgow, Clackmannan, and Kinross.
4. The County of Dumbarton and the County of Bute.	Dumbarton and Bute.	The Sheriff of Dumbarton and Bute.
5. The County of Haddington and the County of Berwick.	Haddington and Berwick.	The Sheriff of Haddington and Berwick.
6. The County of Roxburgh and the County of Selkirk.	Roxburgh and Selkirk.	The Sheriff of Roxburgh and Selkirk.
7. The County of Wigton and the Stewartry of Kirkcudbright.	Wigton and Kirkcudbright.	The Sheriff of Wigton and Kirkcudbright.

CAP. XCIII.

An Act to enable Burghs in Scotland to maintain and improve their Harbours.—[20th August 1853.]

WHEREAS the Harbour and other Dues leviable at the Harbours belonging to many of the Royal Burghs in *Scotland* have, by reason of the Change in the Value of Money and other Causes, become inadequate for the maintenance of such Harbours, and it is expedient that further Provision should be made for the Extension, Improvement, and Regulation of such Harbours, and for the Increase of the Rates and Duties leviable thereat: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

I. This Act may be adopted and applied in manner hereinafter provided in any Royal Burgh in *Scotland* possessing a Harbour which at the Time of passing this Act is not under the Regulation of any Local Act of Parliament.

Act may be adopted in Burghs having Harbours not under Local Acts. Interpretation of Terms.

II. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the subject or context repugnant to such Construction ; that is to say :

The Word " Burgh " shall mean any Royal Burgh in *Scotland* possessing a Harbour which is not under the Regulations of any Local Act of Parliament :

The Word " Harbour " shall mean the Harbour of any such Burgh, and shall extend to and include the whole Limits assigned to such Harbour by the Charter of such Burgh, or by any Law, Statute, or Usage, and all Docks, Piers, Quays, Yards, Works, Buildings, Creeks, and Anchorages within such Limits :

The Expression " Town Council " shall mean the Provost, Magistrates, and Councillors, or the Magistrates, and Councillors, as the Case may be, of any such Burgh for the Time being :

The Words " Treasurer " and " Town Clerk " shall mean the Treasurer and Town Clerk respectively of any such Burgh for the Time being :

The Expression " Board of Trade " shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations :

The

The Expression "Improvement" shall mean deepening, lighting, buoying, or any other Work approved by the Lords of the Admiralty.

Short
Title.

III. In citing this Act in other Acts of Parliament, and in legal Instruments, Deeds, and Proceedings, it shall be sufficient to use the Expression "The Burgh Harbours (*Scotland*) Act, 1853."

8 & 9 Vict.
c. 19. in-
corporated
with this
Act.

IV. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Lands Clauses Consolidation Act, or in this Act, contained shall authorize any Town Council to purchase or take Lands for the Purposes of this Act otherwise than by Agreement.

10 & 11
Vict. c. 27.
incorpor-
ated with
this Act.

V. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always that nothing in the said Harbours, Docks, and Piers Clauses Act contained shall extend or be construed to extend to compel any Town Council to erect and keep any Watch-house, Boat-house, Hut, or Weighing Materials for the Use of the Officers of Revenue, or to provide or keep a Life Boat, Mortar, or Rockets, or a Tide or Weather Gauge and Barometer, until they shall be required so to do by the Lords of the Admiralty, in writing under the Hand of the Secretary of the Admiralty; and upon such Requisition being made, the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall, as regards this Act, come into and be in full Force.

Interpre-
tation of
Expres-
sions in the
Acts incor-
porated
herewith.

VI. The Expression "the Special Act," used in the said Lands Clauses Consolidation Act, and in the said Harbours, Docks, and Piers Clauses Act, shall be construed to mean and include this Act; and the Expression "the Promoters of the Undertaking," used in the said Lands Clauses Consolidation Act, and the Expression "the Undertakers," used in the said Harbours, Docks, and Piers Clauses Act, shall severally mean the Town Council of any Burgh in which this Act is adopted as herein-after provided.

Town
Council
may re-
solve that
this Act
shall be
adopted,
and cause
such Reso-

VII. It shall be lawful for the Town Council of any Burgh, by a Majority of the Members of the Council who are present at a Meeting specially called for that Purpose, to resolve that this Act shall be adopted in and applied to the Burgh, and to appoint a Day, not earlier than the Third and not later than the Thirtieth lawful Day after the Completion of the then next ensuing

ensuing annual Election of Councillors for the Burgh, for holding a Second Special Meeting of the Town Council to resume Consideration of such Resolution ; and a Copy of the Minute of the Town Council, containing such Resolution and Appointment, shall be inserted once in each Newspaper published in the Burgh One Month at least before such next annual Election ; and if there be no Newspaper published therein a Copy of such Minute shall be delivered or transmitted through the Post Office to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated, and shall be inserted once in a Newspaper published in such County, or in an adjoining County, One Month at least before such next annual Election.

VIII. It shall be lawful for the Town Council, at such Second Special Meeting, or at any adjourned Special Meeting (of which adjourned Meeting Four Days Notice in Writing shall be given to each Member of the Council), on resuming Consideration of such Resolution, either to approve or disapprove of the same ; and if such Resolution shall be approved of by a Majority of Two Thirds at least of the Members of the Council who are present at such Second Special Meeting or at such adjourned Meeting, this Act shall thereupon be held as adopted in the Burgh ; and a Copy of the Minute of the Meeting at which such Resolution shall be so approved of shall, within Fourteen Days thereafter, or within Fourteen Days after the Dismissal of the Appeal against the said Resolution herein-after provided for, be registered in the Sheriff Court Books of the County in which the Burgh is situated, and another Copy of the said Minute shall be within the like Period of Fourteen Days transmitted to the Office of the Secretary to the Admiralty ; and the Provisions of this Act shall be in force in respect to the Burgh and the Harbour thereof from and after such Registration and Transmission, the Date of which or of the last of which shall be held as the Date of the Adoption of this Act.

IX. It shall be lawful for any Five or more Municipal Electors, Shipowners, or Traders within such Burgh, or for any Ten or more registered Electors of the County within which such Burgh is situated, who may be dissatisfied with the said Second Resolution of the Town Council resolving that this Act shall be adopted in and applied to the Burgh, to appeal to the Board of Trade against the said Resolution ; and the Board of Trade shall, as soon as conveniently may be, after making such Investigation as to the Board shall seem fit, determine whether this Act shall be adopted in and applied to the said Burgh or not ; provided that Notice of said Appeal, signed

lution to be published.

If Resolution approved of, this Act to be adopted, and Minute to be registered in Sheriff Court Books.

Appeal to the Board of Trade.

signed by the said Appellants, shall be lodged with the Town Clerk of the said Burgh within Seven Days after the Resolution of the said Town Council.

The Act may be adopted earlier than before provided in certain Cases.

X. And whereas in certain Cases it may be expedient that this Act should be adopted at an earlier Period in the Year One thousand eight hundred and fifty-three than would be competent under the Provisions herein-before contained: Be it enacted, That in case the Town Council of any Burgh shall think it expedient that this Act should be adopted at an earlier Period than the annual Election of Councillors in the Year One thousand eight hundred and fifty-three, it shall be lawful for such Town Council to resolve accordingly, by a Majority of at least Two Thirds of the Members present at a Special Meeting called for the Purpose; and the Council shall thereupon convene a public Meeting of the Municipal Electors of the Burgh, by public Advertisement on Fourteen Days Notice, to consider such Resolution; and in case such Resolution of the Town Council shall be approved of by a Majority of the Municipal Electors present at such public Meeting, the said Resolution shall have the like Force and Effect as if the same had been approved of by a Second Meeting of Council held after the annual Election in manner herein-before provided.

If Act not adopted, Two Years to elapse before Consideration again had.

XI. If at such Second Special Meeting or adjourned Meeting of Council, or at such public Meeting of Municipal Electors, the Resolution to adopt this Act shall not be approved of, the Town Council may, after the Expiration of Two Years from the Date of such First Special Meeting, but not sooner, by such and the like Meetings, Notices, and Proceedings as are herein-before mentioned, again take this Act into consideration, and adopt or determine not to adopt the same, and so on from Time to Time thereafter.

Schedule of Rates to be prepared and published.

XII. The Town Council shall, within One Month after the Date of the adoption of this Act, prepare a Schedule of the Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed) which they may think reasonable and proper to be levied at the Harbour of the Burgh, in lieu of the Rates or Dues then leviabie thereat, and shall insert the said Schedule once in each Newspaper published in the Burgh, and, if there be no Newspaper published therein, once in each of Two Successive Weeks in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, and shall also cause a printed Copy of such Schedule to be delivered or transmitted to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated; and it shall be competent to any Municipal Elector, or to any Shipowner

or Trader within the Burgh, or to any registered Elector or Landowner in the County in which the Burgh is situated, or in any adjoining County, who may be dissatisfied with such Schedule to lodge Objections thereto in Writing with the Town Clerk within Fourteen Days after the First Insertion of such Schedule in any Newspaper as aforesaid, or within Fourteen Days of the Transmission of a printed Copy of the said Schedule to the Sheriff Clerk and Clerk of the Peace as aforesaid; and the Town Council shall, on resuming Consideration of such Schedule, and of any Objections thereto which may have been lodged with the Town Clerk, dispose of such Objections (if any), and adjust such Schedule, as to them shall seem expedient.

XIII. A Copy of such adjusted Schedule, certified by the Town Clerk, with Copies of any Objections thereto which may have been lodged as aforesaid, and a Statement signed by the Provost or Acting Chief Magistrate of the Burgh, showing the State of the Harbour, the existing Rates or Dues leviable thereat, the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, and the probable or estimated Amount of the Rates proposed to be levied under such Schedule, shall, within Fourteen Days after such Schedule has been adjusted as aforesaid, be transmitted by such Provost or Acting Chief Magistrate to the Lords of the Admiralty and to the Board of Trade respectively.

A Copy of the Schedule and a Statement as to the Harbour to be sent to the Admiralty and the Board of Trade.

XIV. The Board of Trade shall, as soon as conveniently may be after the Receipt of such Schedule and Statement, take the same into consideration, and make such Inquiries and obtain such further Information in reference to the several Matters therein set forth as they may deem expedient, and shall either approve or disapprove of such Schedule, or modify the same in such Manner and in such Particulars as in the special Circumstances of each Case they shall think fit, and shall finally adjust such Schedule, and certify the same under the Hand of One of their Secretaries or Assistant Secretaries as containing the maximum Rates to be levied at the Harbour of the Burgh in which this Act has been adopted as aforesaid, and from and after the Date of such Certificate it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates specified in such Schedule: Provided always, that the Rates in such Schedule shall not in any Case exceed the Rates specified in the Schedule (A.) hereunto annexed.

Board of Trade to consider and finally adjust the Schedule.

XV. From and after the Adoption of this Act in any Burgh, all exclusive Rights or Privileges possessed or claimed by the Freemen or Burgesses of such Burgh, of Exemption from Payment

Exclusive Privileges of Burgesses abolished, and

Rates to be charged equally.

Payment of Harbour Rates or Dues, or of paying a lower Rate of Harbour Dues than Persons not Freemen or Burgesses, shall cease and determine, and the Rates by this Act authorized to be levied shall be at all Times charged equally to all Persons in respect of the same Description of Vessel and the same Description of Goods.

Accounts and Statement of the Revenue of the Harbour to be sent to the Sheriff Clerk annually.

XVI. The annual Account in Abstract required by the said Harbours, Docks, and Piers Clauses Act to be prepared and sent to the Sheriff Clerk shall be made up for the Year ending on the Fifteenth Day of *October*, and in addition to such annual Account in Abstract the Town Council shall annually cause a Statement to be prepared showing the total Revenue of the Harbour for the Year ending on the said Fifteenth Day of *October*, and shall on or before the Expiration of One Month from that Day transmit such annual Account in Abstract, and such Statement, duly audited and certified by the Town Clerk, to the Sheriff Clerk of the County in which the Burgh is situated; and along with the First Statement so transmitted the Town Council shall also send a Copy, certified by the Town Clerk, of the Statement of the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, transmitted to the Lords of the Admiralty and the Board of Trade, as herein-before directed; and such Statements and certified Copies of Statements shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Town Council omit to prepare and send such Annual Accounts or Statements, or certified Copies of Statements, as aforesaid, they shall for every such Omission forfeit the Sum of Twenty Pounds.

Increase of Revenue to be applied in extending and improving the Harbour.

XVII. From and after the Adoption of this Act in any Burgh, the whole future Revenue of the Harbour shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the Harbour, and in no other Way and for no other Purpose whatsoever: Provided always, that a Sum equal to the average annual Revenue of the Harbour for the Three Years preceding the Adoption of this Act shall be applicable and may be applied in Payment of the Principal and Interest of the existing Debt, if any, incurred in the Maintenance, Improvement, and Extension of the said Harbour prior to the passing of this Act, and after the same shall have been extinguished and paid off then the whole Sums raised in virtue of this Act shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the said Harbour, and in no other Way and for no other Purpose whatever.

XVIII. It

XVIII. It shall be lawful for the Town Council from Time to Time to borrow, for the Purposes of extending or improving the Harbour, such Sum or Sums as they shall deem expedient, or to accept and take from any Bank or Banking Company Credit to such Amount as they shall deem expedient on a Cash Account, to be opened and kept with such Bank or Banking Company in the Name of the Town Council, according to the Usage of Bankers in *Scotland*, and to assign the Rates by this Act authorized to be levied in security of the Repayment of the Sum so borrowed, or of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon respectively: Provided always, that Intimation shall be given by the Town Council of their Intention to borrow Money or to take a Cash Credit, by the Insertion of a Notice to that Effect, and stating the Sum proposed to be borrowed, or the Amount of the Credit proposed to be taken, once in a Newspaper published in the Burgh, or if there be no Newspaper published therein, once in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, One Month at least before the Meeting of the Town Council at which it is intended to authorize the borrowing of such Sum or the taking of such Cash Credit: Provided also, that the Resolution to borrow any Sum of Money or to take any Cash Credit shall be approved of by at least Two Thirds of the Members of the Council who are present at such Meeting; and that the whole Sums so borrowed or advanced shall be applied and expended in the Extension and Improvement of the Harbour, and in no other Way and for no other Purpose whatsoever.

Town Council may borrow Money on the Security of the Rates.

XIX. The Bonds and Assignations to be granted for securing the Repayment of the Sums to be borrowed or advanced as aforesaid shall be in the Form of the Schedule (B.) hereunto annexed, or as near as may be, and shall be signed by the Provost or Acting Chief Magistrate of the Burgh, and by the Treasurer and Town Clerk at an open Meeting of the Town Council, and Two of the Councillors present shall sign as Witnesses thereto; and such Bonds and Assignations shall be recorded in the Minute Books of the Town Council, and a Certificate of such Registration shall be indorsed on such Bonds and Assignations, and signed by the Town Clerk; and in case of Competition such Bonds and Assignations shall have Priority and Preference according to the Dates of such Registration; and until Repayment of the Sums so borrowed or advanced, and Interest thereon, such Sums, and the Bonds and Assignations granted therefor respectively, shall form a

Bonds and Assignations may be granted for Sums borrowed or advanced.

Lien on the Rates by this Act authorized to be levied preferable to all other Debts and Claims against the Burgh, and the Creditors in right of such Sums shall be entitled to receive the same from the Town Council and their Officers out of the first and readiest of such Rates.

Bonds and Assignations may be transferred by Indorsation.

XX. Such Bonds and Assignations may be transferred by Indorsation in the Form of the Schedule (C.) hereunto annexed, or as near as may be; and every Transfer shall be produced to the Town Clerk, who shall forthwith enter in the Minute Book of the Town Council a Memorandum of the Date of such Transfer, the Names of the Parties thereto, and the Amount, Number, and Date of the Bond and Assignment so transferred; and a Certificate of such Entry shall be indorsed on such Bond and Assignment, and signed by the Treasurer and Town Clerk, and thereupon the Person to whom the same has been so transferred, and his Heirs, Executors, or Assignees, shall have full Right thereto, and to the whole Sums, Principal and Interest, therein contained.

Town Council may apply for a further Increase of Rates.

XXI. If it shall at any Time appear to the Town Council that the Revenue of the Harbour arising from Rates specified in a Schedule certified by the Board of Trade as before mentioned is not adequate to the necessary Extension and Improvement of the Harbour, it shall be lawful for the Town Council to prepare an amended Schedule of Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed), and on the like Notices being given, and the like Procedure in all respects being adopted, as is herein-before provided in regard to the Adjustment of the Schedule of Rates prepared by the Town Council on the Adoption of this Act, to transmit such amended Schedule, with Copies of any Objections thereto, and a Statement showing the several Particulars herein-before mentioned, to the Lords of the Admiralty and the Board of Trade in the Manner herein-before directed, and on such amended Schedule being adjusted and certified by the Board of Trade under the Hand of their Secretary as aforesaid it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates therein specified: Provided always, that the Schedule of Rates to be levied at any Harbour shall not be altered until the Expiration of at least Five Years from the Date of each Adjustment and Certification thereof by the Board of Trade.

Board of Trade may inquire into and regulate Rates.

XXII. It shall be lawful for any Five or more of the said Municipal Electors, Shipowners, Traders, Landowners, or registered County Electors, after the Expiration of the said Five Years, to apply to the Board of Trade to reduce or alter and vary the said Rates; and they shall thereupon make such

such Inquiries, and obtain such information in reference thereto as they may deem expedient, and shall thereafter make such Order thereon as in the special Circumstances of the Case they shall see fit.

XXIII. Subject to the Provisions of this Act and the Acts incorporated herewith, it shall be lawful for the Town Council to purchase and acquire such Lands contiguous to the Harbour as may be required for the Extension and Improvement thereof, and by themselves, or their Officers and Servants or others employed by them, to extend, enlarge, and improve the Harbour, to repair, deepen, and cleanse the same, and to make and maintain additional Piers, Quays, and Docks, and all other Works and Buildings connected therewith which may be necessary for the Reception and Accommodation of Ships and Vessels resorting to the Harbour, and for the Protection and Storage of Goods, and to make, widen, and maintain all necessary Roads and Accesses to the Harbour and Works.

Town Council may extend and improve the Harbour.

XXIV. Previous to extending or improving the Harbour or constructing any Works connected therewith, the Town Council shall deposit at the Admiralty Office, *Whitehall*, Plans and Working Drawings of the Harbour and the proposed Works connected therewith, for the Approval of the Lords of the Admiralty; and, notwithstanding anything in this Act contained, the Harbour and Works connected therewith shall be extended and improved only according to such Plan as shall be previously approved of by the Lords of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any Works shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Town Council, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

Plans and Working Drawings of the Works to be deposited at the Admiralty Office for Approval.

XXV. The Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against, for any Offence under the Provisions of this Act, or the Acts incorporated herewith, may be raised and prosecuted at the Instance of the Procurator Fiscal of the Burgh, or of the Collector of the Harbour Rates, or of any other Officer or Person thereto authorized by any General or Special Order of the Town Council; and such Complaint and Proceedings, and the Sentence or Conviction thereon, may be in the Form of the Schedule (D.) hereunto annexed, or as near as may be; and except that such Complaint, and the Sentence to be pronounced in relation thereto, shall

Forms of Proceedings against Offenders.

shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justice or Justices at the Hearing of the Complaint shall cause or allow the Procedure or Evidence to be taken down in Writing.

Transient
Offenders
may be ap-
prehended
and taken
before the
Sheriff or a
Justice of
the Peace.

XXVI. It shall be lawful for the Officers or Persons appointed and acting under the Authority of this Act to seize and detain any transient Persons unknown to them who shall commit any offence against the Provisions of this Act or the Acts incorporated herewith, and to convey such Persons before the Sheriff or any Justice, without any other Warrant than this Act for so doing, and such Sheriff and Justice respectively are hereby empowered to proceed with all convenient Despatch, and without the Necessity of serving a Copy of the Complaint, to the summary hearing and determining of the same.

Saving the
Rights of
the Crown.

XXVII. Nothing contained in this Act or in the Acts incorporated herewith, shall extend to authorize any Town Council to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, first had and obtained for that Purpose, and which such Commissioners, or any One of them, are hereby authorized and empowered to give; or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

I. RATES on VESSELS entering or using the HARBOURS.

	Per Ton.
	£ s. d.
For every Vessel under the Burden of Fifteen Tons . . .	0 0 4
For every Vessel of the Burden of Fifteen Tons, and under Fifty tons . . .	0 0 6
For every Vessel of the Burden of Fifty Tons, and under One hundred Tons . . .	0 0 8
For every Vessel of the Burden of One hundred Tons, and under One hundred and fifty Tons, . . .	0 0 10
For every Vessel of the Burden of One hundred and fifty Tons and upwards . . .	0 1 0
All Lighters from any Vessel in the Roads shall be ex-	

empted from Rates, but if the Vessel do not enter the Harbour, every Lighter shall pay for each Trip	£	s.	d.
	0	0	2
All Boats entirely open, landing or taking on Board Goods or dried or salted Fish, each	£	s.	d.
	0	0	6
All drave or large Boats entering the Harbour or Precincts thereof with Fresh Fish, each	£	s.	d.
	0	0	4

II. RATES on GOODS shipped or unshipped at the HARBOUR.

		s.	d.
Ale	per Hogshead	0	6
Ale, bottled	per Barrel Bulk	0	3
Bark	per Ton	1	0
Beef or Pork	per Ton	1	4
Beef or Pork	per Barrel	0	2
Blubber	per Ton of 252 Gallons	1	0
Bone Dust	per Ton	0	8
Bones of Cattle	per Ton	0	6
Bottles	per Gross	0	2
Bricks	per 1000	0	8
Casks, empty, not being returned Packages	per Puncheon	0	3
Other Casks in proportion.			
Cattle :			
Bulls	each	0	3
Cows and Oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per Score	0	6
Lambs	per Score	0	3
Chalk	per Ton	0	8
Chimney Cans	per 100	1	4
Clay, Fire, manufactured	per Ton	0	6
Clay, common	per Ton	0	2
Cloth, Haberdashery, &c.	per Barrel Bulk	0	2
Coaches :			
Chaises and other Four-wheeled Carriages	each	0	8
Gigs, Carts, and other Two-wheeled Carriages	each	0	6
Coals, Scotch, English, Smithy, and Culm	per Ton	0	3
Copper	per Ton	1	4
Corks	per Barrel Bulk	0	2
Corn, viz.			
Wheat and Malt	per Quarter	0	3
Barley, Beans, Pease, Tares, Oats, Rye, Buckwheat, and Indian Corn	per Quarter	0	2
	per Barrel Bulk	0	2
Crystal	per Ton	0	8
Dissolved Bones and other artificial Manures	each	0	2
Dogs, Sporting only	per Barrel Bulk	0	3
Drugs	per Crate	0	8
Earthenware	per Barrel Bulk	0	2
Eggs			

		s.	d.
Fish, dried and salted	per Ton	1	4
Haddocks, Cod, Salmon, and all fresh Fish, not enumerated }	per Barrel Bulk	0	2
Flax	per Ton	1	4
Flour	per Sack	0	2
Ditto	per Barrel	0	1½
Glass	per Barrel Bulk	0	3
Groceries, viz.			
Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, and the like,	per Barrel Bulk	0	3
Guano	per Ton	0	8
Gunpowder	per Barrel	0	3
Hardware	per Barrel Bulk	0	3
Hares and Rabbits	per Dozen	0	2
Any less Quantity		0	1
Hay	per Ton	0	8
Hemp	per Ton	1	4
Herrings, fresh	per Cran	0	1
Ditto, cured	per Barrel	0	3
Hides :—Ox, Cow, or Horse, salted or dried	per Ton	1	4
Calf Skins	per 120	0	10
Sheep Skins	per 120	0	10
Lamb Skins	per 120	0	5
Hoops of Wood	per 1,500	1	0
Household Furniture, new	per Barrel Bulk	0	1
Household Furniture belonging to Parties changing their Residence only	per 10 Barrels Bulk	0	6
Husbandry Utensils	per Ton	1	4
Ditto	per Barrel Bulk	0	2
Iron :—Bar, Bolt, and Rod	per Ton	1	4
Pig or Old	per Ton	0	8
Kelp	per Ton	0	8
Lead, all Kinds	per Ton	1	4
Leather, tanned and dressed	per Ton	1	4
Lime	per Chaldron of 16 Bolls	1	4
Limestone	per Ton	0	3
Loam or moulding Sand	per Ton	0	3
Machinery	per Ton	1	4
Machinery	per Barrel Bulk	0	3
Manure, Street	per Ton	0	2
Meal	per Bag of 280 lbs.	0	2
Milk	per three large Pitchers	0	0½
Musical Instruments	per Barrel Bulk	0	3
Oils	per Tun	1	0
Ores :—Copper, Iron, Lead, and other Ores	per Ton	0	8
Passengers Luggage, not exceeding 4 Barrels Bulk, free.			
All above four Barrels Bulk	per Barrel Bulk	0	3
Peats	per Ton	0	3
Pitch	per Barrel	0	3
Porter	per Hogshead	0	4
Porter, bottled	per Barrel Bulk	0	2
Potatoes	per Ton	0	6
Poultry, including Pigeons, Game, &c.	per Dozen	0	1
Any less quantity		0	0½
Rags, Linen	per Ton	1	4
Other Rags, Old Ropes, and the like	per Ton	0	10

		s.	d.
Rape Cakes	per Ton	0	8
Salt	per Ton	0	10
Seeds, Flax, and Rape	per Hogshead	0	6
Flax	per Barrel	0	3
Flax in Bulk	per Quarter	0	2
Clover	per Ton	1	4
Seeds, Garden	per Ton	1	4
Hemp and Canary	per Ton	1	4
Rye Grass	per 8 Bushels	0	2
Skins, Seal	per 120	0	8
Slates, under Size	per 1,000	0	6
Sizeable	per 1,000	0	10
over Size	per 1,000	1	4
Spirits, Foreign and British	per Hogshead of 56 Gallons	0	8
Stones, Rubble	per Ton of 16 Cubic Feet	0	2
Hewn Ashlar Freestone	per Ton of 16 Cubic Feet	0	4
Rough Ashlar Freestone	per ton of 16 Cubic Feet	0	3
Pavement not exceeding 3 Inches thick	per 70 Feet	0	4
Pavement above 3 Inches thick	per 16 Cubic Feet	0	4
Scythe Stones	per Score	0	1
Mill Stones	each	0	8
Steel	per Ton	1	4
Sugar	per Ton	1	4
Tallow	per Ton	1	4
Tar	per Barrel	0	2
Tea	per Chest	0	3
Tiles, roofing	per 1,000	0	9
Tiles or Pipes for Draining	per 1,000	0	8
Tin of all Kinds	per Ton	1	4
Tobacco	per Ton	2	6
Treenails under 2 Feet in Length	per 1,000	0	6
Treenails exceeding 2 Feet in Length	per 1,000	1	0
Turnips	per ton	0	6
Turpentine	per Hogshead	0	8
Vegetables	per Cartload	0	2
Vinegar	per Hogshead	0	6
Vitriol	per Carboy	0	2
Whalebone	per Ton	2	6
Wine	per Hogshead	0	8
Wine, bottled	per Barrel Bulk	0	4
Wood:			
Fir, Pine, and other Descriptions not enumerated	per Load of 50 Feet	0	10
Oak or Wainscot	per Load of 50 Feet	1	0
Firewood	per Fathom	0	6
Laths and Lathwood	per Fathom of 216 Cubic Feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars under 22 Feet in Length, above 2½ and under 4 Inches Diameter	per 120	2	6
Spars 2½ Inches in Diameter and under	per 120	1	4
Spars 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter	per 120	6	6
Spars of all Lengths above 4 and under 6 Inches in Diameter	per 120	12	0

Wood—*continued*.

		s.	d.
Spokes of Wheels, not exceeding 2 Feet in Length	per 120	0	4
Exceeding 2 Feet in Length	per 120	0	6
Wedges	per 1,000	1	0
Pipe Staves, and others in proportion	per Standard Hundred	1	0
Lignum Vitæ, Fustic, Logwood, Mahogany, and Rose-wood	per Ton	1	4
Wool	per Cwt.	0	2
Yarn	per Ton	1	4
Zinc	per Ton	1	4

All other Goods not particularly enumerated in the above
TABLE.

Light Goods	per Barrel Bulk	0	2
Heavy Goods	per Ton	1	4

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a proportion of the respective Rates shall be charged.

Five Cubic Feet, not exceeding Two and a Half Cwt., to be rated as a Barrel Bulk; but when the Weight of Five Cubic Feet is greater than Two and a Half Cwt., then Two and a Half Cwt. to be rated as a Barrel Bulk.

III. RATES for the USE of CRANES, WEIGHING MACHINES, and SHEDS.

1st. RATES of CRANEAGE.

		s.	d.
All Goods or Packages, not exceeding One Ton	.	0	3
Exceeding One Ton and not exceeding Two Tons	.	0	4
„ Two Tons	„ Three Tons	0	6
„ Three Tons	„ Four Tons	0	8
„ Four Tons	„ Five Tons	0	10
„ Five Tons	„ Six Tons	1	0
„ Six Tons	„ Seven Tons	1	2
„ Seven Tons	„ Eight Tons	1	4
„ Eight Tons	„ Nine Tons	1	8
„ Nine Tons	„ Ten Tons	2	0
„ Ten Tons	.	3	0

2d. WEIGHING MACHINES

For Goods weighed, One Penny for each Ton or Part of a Ton.

3d. SHED DUES.

For Each Ton of Goods of Eight Barrels Bulk, or for each Ton of Goods of Twenty Cwt., which shall remain in the Sheds, or on the Quays of the Harbour, for a longer Time than Forty-eight Hours, the Sum of Threepence; and the Sum of one Penny Halfpenny per Ton for each Day during which such Goods shall remain after the first Forty-eight Hours.

SCHEDULE (B.)

FORM OF BOND AND ASSIGNATION.

The Royal Burgh of _____ has this Day borrowed the Sum of _____ from A.B. [or has this Day obtained a Cash Credit to the Extent of _____ Pounds with the [insert Name of Bank]] for the Extension and Improvement of the Harbour of the said Burgh, which Sum [in the Case of a Cash Account add, or such Part thereof as may from Time to Time be drawn out by Cheques or Orders signed by the Treasurer and Town Clerk of the said Burgh] we hereby bind the said Burgh to pay to the said A.B., his Heirs, Executors, and Assignees, [or to the said Bank,] at the Term of _____ next, with Interest thereof at the Rate of _____ per Centum per Annum from the Date hereof, payable half-yearly at the Terms of Whitsunday and Martinmas in each Year until paid [or periodically from the Date of Advance until repaid, as the Case may be]; and we hereby assign to the said A.B. and his foresaids [or to the said Bank] the Rates authorized to be levied at the said Harbour by the Act [specify this Act] in security of the Repayment of the foresaid Sums, Principal and Interest, which are hereby declared a Lien on the said Rates; and we consent, &c. [Registration and Testing Clause according to the Form of the Law of Scotland.]

SCHEDULE (C.)

FORM OF TRANSFER.

I A.B. do hereby transfer the Sum of _____ with Interest thereof from and after the Term of _____ next, contained in and due by the within written Bond and Assignation, and all Right and Interest which I have under the same, to C.D., his Heirs, Executors, and Assignees. In witness whereof [insert Testing Clause according to the Form of the Law of Scotland.]

SCHEDULE (D.)

FORM OF COMPLAINT.

Unto the Honourable the Sheriff of [or Her Majesty's Justices of the Peace for] the County of _____

The Petition and Complaint of A.B.

Humbly sheweth,

That C.D. has been guilty of a Contravention of "The Burgh Harbours (Scotland) Act, 1853," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or one or other of the said Acts, in so far as [here describe the Offence generally, and state the Time and Place when and where the same was committed], whereby the said

C.D. has incurred the Forfeiture [or Penalty] of _____ provided
by the _____ Section of the said "Burgh Harbours Scotland
Act" [or of the said "Harbours, Docks, and Piers Clauses Act."]

May it therefore please your _____ to grant Warrant
to summon the said *C.D.* to appear before _____ to
answer to this Complaint, and to be dealt with in terms of the
said Acts or One or other of them.

According to Justice, &c.
[To be signed by Complainer.]

FORM OF WARRANT.

[Place and Date.]

Having considered the foregoing Complaint, grants Warrants to summon the said *C.D.* complained of to appear before [Magistrate and Place and Time], and that by serving the said *C.D.* with a Copy of the foregoing Complaint and of this Deliverance, and also grants Warrant for citing Witnesses at the Instance of both Parties to attend at the same Place and Time.

[Signed by Sheriff or Justice of the Peace.]

FORM OF SENTENCE.

[Place and Date.]

The [Magistrate] in respect of the Evidence adduced [or of the judicial Confession of the said *C.D.*, as the Case may be,] convicts the said *C.D.* of the Offence charged, and therefore decrees and adjudges him to forfeit and pay to the Complainer the Sum of _____ of Penalty, with the Sum of _____ of Expenses, One Half of the said Penalty to be retained by the Complainer, and the other Half thereof [or as the Case may be] to be paid and accounted for by him to the Kirk Session or Collector of the Funds for the Poor of the Parish of _____, and failing Payment by the said *C.D.* forthwith,* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects and summary Sale thereof, on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C.D.* in the Prison of _____ until such Return be reported.

WARRANT OF IMPRISONMENT to be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[Place and Date.]

The [Magistrate] in respect of the Return made that no sufficient Effects

* [If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of the Magistrate, say here, "and in respect it appears that no sufficient Poinding and Sale can be had whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of _____ for the Space of _____ from this Date, unless the said Penalty and Expenses be sooner paid, and decrees."]

fects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of _____ for the Space of _____ from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

WARRANT OF LIBERATION.

[*Place and Date.*]

The [*Magistrate*] in respect of the Return of a sufficient Poin-
ding and Sale of the Effects of the said *C.D.* [*or in respect of Pay-*
ment having been made of the said Penalty and Expenses, *as the Case*
may be,] grants Warrant to the Keeper of the Prison of _____ for
the immediate Liberation of the said *C.D.*, and decerns.

CAP. XCIV.

*An Act to extend the Benefits of the Act of the Eleventh
and Twelfth Years of Her present Majesty, for the
Amendment of the Law of Entail in Scotland.—*
[20th August 1853.]

WHEREAS an Act was passed in the Session of Parlia-
ment holden in the Eleventh and Twelfth Years of the
Reign of Her present Majesty, intituled *An Act for the Amend-*
ment of the Law of Entail in Scotland, the Provisions of which
Act have been found to be highly beneficial, and it is expedient
to extend the Benefits and to facilitate the Operation of the
said Act, and still further to simplify the Procedure under the
same: Be it therefore enacted by the Queen's most Excellent
Majesty, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parlia-
ment assembled, and by the Authority of the same, as follows:

I. No Interlocutor, Judgment, or Decree following or that
has followed upon any Petition presented or which shall be
presented under the said recited Act or this Act shall be ques-
tionable or reducible upon the Ground of any Want of Com-
pliance with the Provisions of the said recited Act and of this
Act, and of any relative Act or Acts of Sederunt which have
been or shall be passed by the Court of Session in *Scotland*, in
so far as such Provisions regard Applications or Petitions to
the Court of Session under the Authority of the said recited

11 & 12
Vict. c. 36.

Forms of
Procedure
under re-
cited Act
and this
Act merely
directory.

Act

Act or of this Act, the Matters to be set forth in such Applications or Petitions, the Intimation and Service, and Advertisement thereof, the Persons to be called as Parties thereto, and the Mode of calling them, the making and producing of Affidavits therein, the Matters to be set forth in such Affidavits, and generally the Procedure under such Applications or Petitions: Provided always, that no Injury shall have been suffered by any Person through such Want of Compliance; provided also, that nothing herein contained shall be held to support or validate any Interlocutor, Judgment, or Decree as aforesaid obtained or which may be obtained without the requisite Consents prescribed by the said recited Act, or without Service of the Petition upon any Party expressly required by the said recited Act to be called in the Application, or shall be held to support or validate any Interlocutor, Judgment, or Decree as aforesaid, in so far as such Interlocutor, Judgment, or Decree shall go beyond what was or may be concluded or prayed for in the Application under which it was or may be pronounced.

Applica-
tions or
Petitions
may dur-
ing Vaca-
tion be
presented
to Lord
Ordinary
officiating
on Bills,
who may
proceed as
may be re-
quisite, &c.

II. Every Application or Petition which under the said recited Act or under this Act may be presented to the Court of Session during the Sittings of the said Court, may, during any Vacation or Recess of the said Court, be presented to the Lord Ordinary officiating on the Bills; and it shall be competent for the Lord Ordinary officiating on the Bills in each Time of Vacation or Recess to appoint or grant Warrant for such Intimation, Service, and Advertisement with respect to such Application or Petition as may be requisite or may be deemed proper: and all such procedure which shall take place under the Authority of such Lord Ordinary officiating on the Bills shall be equally valid and effectual to all Intents and Purposes as if the same had taken place under the Authority of the Court: Provided always, that every such Application or Petition shall be addressed to the Court, and shall, during the Sitting of the Court, be proceeded with in the same Manner as if any Procedure which may have taken place before the Lord Ordinary on the Bills in Time of Vacation or Recess under the Authority of this Act had taken place before the Court in Time of Session.

Applica-
tions, &c.
may be
amended
where
authorized
by the
Court.

III. Every Application or Petition under the said recited Act or under this Act may be amended, where such Amendment shall be authorized by the Court; and it shall not be necessary in respect of such Amendment to make any Intimation or Service or Advertisement, except such Intimation or Service or Advertisement, if any, as the Court may in the Circumstances of the Case think fit to appoint.

Instru-
ments of

IV. It shall be lawful for any Heir of Entail who is or shall

shall be in a Position to obtain his Lands disentailed under the Provisions of the said recited Act to execute an Instrument of Disentail thereof without the previous Sanction of the Court, and to produce such executed Instrument of Disentail either along with an Application to the Court for Authority to record such Instrument of Disentail in the Register of Tailzies, or at any Time in the Course of the Proceedings under such Application when he shall think fit or when such Production shall be ordered by the Court; and the whole Provisions of the said recited Act with reference to Applications to the Court by the said recited Act authorized shall be applicable and apply to such applications as aforesaid, and to all Applications under this Act; and on such Application being presented, and such Consents, if any, as are required by the said recited Act being obtained, and on the Court being satisfied that the Procedure is regular, and in conformity with the Provisions of the said recited Act and of this Act, the Court shall grant Warrant for recording such Instrument of Disentail in the Register of Tailzies, and such Instrument of Disentail, when so recorded, shall have the like Effect and the like Privileges in all respects as any Instrument of Disentail duly recorded under the Provisions of the said recited Act.

Disentail may be executed, and the Sanction and Authority of the Court to record the same afterwards applied for.

V. It shall be lawful for any Heir of Entail who is or shall be in a position to sell, alienate, dispone, charge with Debts or Incumbrances, lease, feu, or excamb his entailed Estate, in whole or in part, under the Provisions of the said recited Act, to execute without the previous sanction of the Court a Deed of Conveyance or Contract of Excambion, or other Deed for giving effect to such Sale, Disposition, Charge, Lease, Feu, or Excambion, and to produce such executed Deed either along with an Application to the Court for its Sanction thereto, or at any Time in the Course of the Proceedings under such Application when he shall think fit or when such Production shall be ordered by the Court; and on such Application being presented, and such Consents, if any, as are required by the said recited Act being obtained, containing express Consent to and Approval of such Deed of Conveyance, or Contract of Excambion or other Deed executed as aforesaid, and on the Court being satisfied that the Procedure is regular, and in conformity with the Provisions of the said recited Act and of this Act, the Court shall pronounce an Interlocutor approving of such Sale, Disposition, Charge, Lease, Feu, or Excambion, as the Case may be, and of the Deed executed as aforesaid for carrying the same into effect, and thereupon such Deed shall have the same Force and Effect in every respect as if the same had been made and executed at the Sight of the Court, in Terms of the said recited Act.

Conveyances, Excambions, &c. may be made, and the Authority of the Court afterwards interposed.

VI. It

Compe-
tent to pre-
sent con-
tinuing
Petitions
for Autho-
rity to
grant Feus
and long
Leases.

VI. It shall be lawful for the Court, upon an Application by any Heir of Entail, entitled, in Terms of the said recited Act, to apply for the authority and approbation of the Court to the granting of Feus and long Leases, to an Extent not exceeding in all One Eighth Part in Value for the Time of the entailed Estate, to fix and determine the minimum Rates of Feu Duty or Tack Duty at which the Lands specified in such Application, or the different Portions of such Lands where the same are of different Values, may be feued or let on long Leases; and such minimum Rate or Rates of Feu Duty or Tack Duty, being so fixed by Interlocutor of the Court, shall be acted upon with reference to all Feus or long Leases which may be granted from Time to Time, under such Application, unless the Court, upon being moved to that Effect by such Heir of Entail, or by any other Party entitled to appear, shall afterwards alter the same, which the Court is hereby authorized to do, from Time to Time, upon Motion to that Effect as aforesaid,) in which Case such altered Rate or Rates of Feu Duty or Tack Duty shall be substituted for the Rate or Rates of Feu Duty or Tack Duty previously established; and in like Manner it shall be lawful for the Court, upon such Application as aforesaid, to approve, by Interlocutor, of a Form of Feu Charter, Feu Contract, or Feu Disposition, or a Form of long Lease, to be made use of under such Application, from Time to Time as such Feus or long Leases shall be granted, and to grant Authority to such Heir of Entail to grant Feus or long Leases in the Form so approved of, from Time to Time as he shall think proper, subject to any Conditions or Stipulations which the Court may deem necessary; and such Form may be altered by the Court from Time to Time as the Court shall see fit in the Course of the Proceedings: Provided always, that it shall not be lawful for such Heir of Entail to take any Grassum or Fine or other valuable Consideration other than the Feu Duty or Rent for granting any such Feu or Lease, nor to grant any such Feu or Lease of the Mansion House, Offices, or Policies of the Estate; and in case any such Grassum, Fine, or Consideration shall be taken, and in case any Feu or Lease hereby prohibited shall be granted, such Feu or Lease shall be null and void.

Bond and
Disposi-
tion in Se-
curity for
Provision
to younger
Child may
be granted
to any

VII. Where an Heir of Entail in possession of an entailed Estate in *Scotland* entitled or allowed under the said recited Act to charge the Fee and Rents of such Estate, or of any Portion thereof, with the Amount of any Provision to a younger Child, and corresponding Interest and Penalties, has granted or shall grant Bond and Disposition in Security therefor over such Estate or any Portion thereof, under the Autho-
rity

rity of the said Act, such Bond and Disposition in Security shall be valid and effectual whether the same be granted to such younger Child or any other Party in right of such Provision, or to any Party or Parties advancing the Amount thereof, in order to the Payment of such younger Child: Provided always, that if such Bond and Disposition in Security be not granted directly to such younger Child or other Party in right of such Provision, such Provision be formally discharged by such younger Child, or the Amount of such Provision, with any Interest due thereon, be paid over to or consigned or invested for Behoof of such younger Child or other Party in right of the same, at the Sight of the Court.

VIII. Where under any Deed executed prior to the First Day of *August* One thousand eight hundred and forty-eight, any Money is or shall be held in Trust for the Purpose of purchasing Land to be entailed, and such Trust has been or shall be partially implemented by the Investment in Land of a Portion of such Trust Money, and also where under any Deed executed as aforesaid any Land has been invested in trust with a view to the same or any Part thereof being entailed, and any Money is or shall be held under such or any other Deed executed as aforesaid in trust to be invested in Land to be added to such entailed Estate, and where in either of the Cases aforesaid the Heir of Entail in Possession of such Land for the Time being, if such Land has been entailed in Terms of such Trust, or the Party who, if such Land had been entailed or Money had been invested in Land, which Land had been entailed in Terms of such Trust, would be the Heir of Entail in possession thereof, shall have made or shall make summary Application to the Court for Authority to lay out the uninvested Portion of such Money, or any Part thereof, in or towards Payment of any Money charged, under this or the said recited Act or under any other Act, upon the Fee of the Land purchased or directed to be entailed as aforesaid, or in the Redemption of the Land Tax affecting such Land, or in building or repairing Mansion House or Offices, or otherwise permanently improving the same, or in repayment of Money already expended in such Improvements, (such Application to the Court always setting forth the Amount of Money so proposed to be laid out, and the special Purpose to which it is intended to apply the same,) the Court, if satisfied of the Propriety of the proposed Application, shall issue a Finding or Decree to that Effect, and authorizing such Application; and it shall thereafter be lawful for the Petitioner, or other Party having the Control of such Money, and for the Petitioner to call upon such Party having such Control, to lay out such Money or any Part thereof, according as

Party
 advancing
 the
 Amount
 thereof.

Money
 placed in
 trust prior
 to 1st
 August
 1848 to
 purchase
 Land to be
 entailed
 may be
 partly in-
 vested in
 Land and
 partly em-
 ployed for
 the Benefit
 of such
 Land.

the Court shall have authorized the Application of the same, to all or any of the before mentioned Purposes ; and if there shall be any Surplus of such Money after the Purposes authorized by such Decree of Court shall be fulfilled, the same shall, if more than Two hundred Pounds, be applied as the whole Money would have been applied but for the Provisions of this Act, and if less than Two hundred Pounds, shall be paid to the Petitioner for his own Use and Behoof.

Sales may
be made
to pay off
Entailer's
Debts.

IX. In all Cases where there are or shall be Entailer's Debts or other Debts or Sums of Money which might lawfully be made chargeable upon the Fee of an entailed Estate, the Heir of Entail in possession of such Estate for the Time being shall have all the like Powers with regard to Sale and Disposal of any Portion or Portions of such Estate, for the Purpose of paying off such Debts or Sums of Money, as are conferred by the said recited Act with reference to the Payment of Debt which is validly charged on the Fee of such Estate : and all the Provisions of the said recited Act respecting Sales which may be made in order to pay off Debt which is validly charged on the Fee of such Estate as aforesaid, and respecting the Dispositions which may be granted for carrying such Sales into effect, and respecting the Approval of the Prices for which such Sales shall be made, and respecting the Application of the Prices to be obtained upon such Sales, and respecting the Tailzies which may be executed of any Lands to be purchased by means of such Prices, shall be applicable and apply, *mutatis mutandis*, to Sales which may be made under this Act for paying off Entailer's Debt or other Debts or Sums of Money as aforesaid, and to Dispositions which may be granted for carrying such last-mentioned Sales into effect, and to Prices for which such last-mentioned Sales may be made, and to Tailzies which may be executed of any Lands to be purchased by means of such Prices.

Where, at
passing of
this Act,
Entailed
Estates
may be
sold under
judicial
Authority,
Parties en-
titled to
sell may
make Ap-
plication
to the
Court, in
Form
prescribed
by recited
Act.

X. Where at the Date of the passing of this Act any entailed Estate in *Scotland* may be sold and disposed of, in whole or in part, under judicial Authority, in virtue of the Provisions of any special Act of Parliament, or otherwise, it shall be competent for any Party entitled to sell or dispose of such entailed Estate, in whole or in part as aforesaid, to make Application to the Court in the Form and Manner prescribed by the said recited Act with reference to Applications under the said recited Act, and with such Consents, if any, as may be requisite to such Sale and Disposal in Terms of such special Act of Parliament, or otherwise, and without any other Consents, in order to obtain the Authority of the Court to sell and dispose of such entailed Estate, in whole or in part ; and the Court shall, under such

such Application, grant Warrant for and authorize the Sale of such entailed Estate, in whole or in part, as the Case may be, upon such reasonable Advertisement, and on such Terms and Conditions as the Court may deem proper in the Circumstances, without regard to any Forms of Procedure prescribed by such special Act of Parliament, or otherwise ; and all Sales and Conveyances which may be made and granted under any such Application as aforesaid shall be equally valid and effectual in all respects as if made under such special Act of Parliament or otherwise, and according to the Forms which, if this Act had not been passed, it would have been necessary to follow.

XI. In all Contracts of Excambion which may be made and executed in virtue of the said recited Act, and in all Deeds of Entail which may be made and executed in virtue of the Twenty-fifth Section of the said recited Act, or of the Ninth Section of this Act, and in all Instruments of Sasine following on such Contracts of Excambion and Deeds of Entail, it shall be competent to omit the Insertion of the Destination, and of the Conditions and Provisions and Clauses, prohibitory, irritant, and resolute, contained in the original Tailzie, provided such Destination and such Conditions and Provisions and Clauses, prohibitory, irritant, and resolute, shall in such Contracts of Excambion and Deeds of Entail and Instruments of Sasine be specially referred to as being set forth in such original Tailzie, which shall be referred to by its Date and by the Date of recording the same in the Register of Tailzies or in the Books of Council and Session ; and the Reference so made to such Destination and to such Conditions and Provisions and Clauses, prohibitory, irritant, and resolute, shall be equivalent to the full Insertion thereof, and shall in all Questions whether with Third Parties or *inter hæredes*, and to all Intents and Purposes whatever, have the same Force and Effect as if such Destination and such Conditions and Provisions and Clauses, prohibitory, irritant, and resolute, had been inserted at Length in such Contracts of Excambion and Deeds of Entail and Instruments of Sasine ; and that notwithstanding any Provisions contained in an Act of the Parliament of *Scotland*, made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or any Law or Practice to the contrary now in force.

XII. Where in any Tailzie executed after the First Day of *August* One thousand eight hundred and forty-eight, the Maker of such Tailzie has declared or shall declare that an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of* Where in any Tailzie executed after 1st Aug. 1848 the Maker of the Tailzie

declares that 10 G. 3. c. 51. and 5. G. 4. c. 87. are applicable they shall be deemed to be so.

Lands, Tenements, and Hereditaments, in that Part of Great Britain called Scotland held under Settlement of strict Entail, and an Act passed in the Fifth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to authorize the Proprietors of entailed Estates in Scotland to grant Provisions to the Wives or Husbands and Children of such Proprietors,* or either of the said Acts of Parliament, shall be applicable to such Tailzie, then and in that Case such Act or Acts, as the Case may be, shall be deemed and taken to be and shall be applicable to such Tailzie in like Manner as if such Tailzie had been executed prior to the said First Day of August One thousand eight hundred and forty-eight.

Where Tailzie executed after 1st Aug. 1848 does not expressly prohibit the granting of Feus, &c. Heir of Entail in possession may execute Powers of granting Feus, &c.

XIII. Where any Tailzie executed after the First Day of August One thousand eight hundred and forty-eight does not expressly prohibit the granting of Feus or Building Leases of the entailed Estate, or any Part thereof, though containing a Prohibition against Alienation and long Leases generally, the Heir of Entail in Possession of such entailed Estate for the Time shall have the same Powers of granting Feus and Building Leases for more than Twenty-one Years as are by the said recited Act, or by any other Act of Parliament conferred upon Heirs of Entail in possession of entailed Estates holding the same under Tailzies dated prior to the said First Day of August One thousand eight hundred and forty-eight: Provided always, that Application shall be made in the Form prescribed by the said recited Act with reference to Applications authorized to be made under the said Act, for the Authority of the Court of Session to the granting of such Feus or Building Leases; and such Court, having regard to the Interests of the Heirs Substitute of Entail, shall be satisfied that the granting of such Feus or Leases is an Act of beneficial Administration of the entailed Estates.

Heirs of Entail in possession entitled to sell Portion of Estates, &c. under 8 & 9 Vict. c. 19. may do so to any Company authorized to acquire the same in consideration of annual Feu Duty, &c.

XIV. It shall be lawful for any Heir of Entail in possession of any entailed Estate in *Scotland* who is or shall be entitled to sell, convey, and dispose of any Portion of such entailed Estate, or any Right or Interest therein under the Powers conferred by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," to sell and convey such Portion of such entailed Estate, or such Right or Interest therein, to the Company who by the said Consolidation Act may be authorized to acquire the same in Consideration of an annual Feu Duty or a Ground Annual payable by such Company to such Heir of Entail and his Successors in the Lands, or in the Right or Interest therein so conveyed, and that in the Form prescribed by the said Consolidation Act with respect to Conveyances in Feu by Parties entitled absolutely to grant the same.

XV. Provided

XV. Provided always, That it shall not be lawful for such Company to pay, nor for such Heir of Entail to receive or take, any Grassum, Fine, or Premium, or any Consideration in the Nature thereof, for the Lands or Rights or Interests to be so conveyed, other than the annual Feu Duties or Ground Annuals made payable by such Conveyance, and the Amount of such Feu Duties or Ground Annuals shall, in case of Difference, be ascertained and settled by Valuator in the Manner prescribed by the said Consolidation Act with respect to the Valuation of Lands sold by Agreement by Parties under legal Disability or Incapacity to convey.

Company not to pay, nor Heir of Entail to receive, any Grassum, &c. for any Rights conveyed but annual Feu Duties, &c.

XVI. All Feu Duties or Ground Annuals made payable under any such Conveyance to such Company shall be a First Charge on the Tolls and Rates and other Revenues of such Company, preferable to all Debenture and Bond and Mortgage Debt and other Debt of such Company, anything in any Act of Parliament now in force to the contrary notwithstanding; and if at any Time any such Feu Duties or Ground Annuals remain unpaid for Thirty Days after they respectively became payable, it shall be lawful to the Person entitled for the Time being to Payment of such Feu Duties or Ground Annuals to recover the same from such Company, with Interest and Costs, by Action in the Sheriff Court of the County within which the Lands in respect of which such Feu Duty or Ground Annual is payable are locally situated, or Summarily by Poinding and Sale of the Goods and Effects of such Company on Application by Petition to such Sheriff; and such Feu Duty or Ground Annual shall to all Intents and Purposes whatever be deemed and taken to be Part and Portion of the entailed Estate, and subject to the Destination and to all the Conditions, Provisions, and Limitations, and to all the Clauses prohibitory, irritant, and resolute of the Tailzie under which such Estate is holden.

All Feu Duties, &c. made payable by Company to be a First Charge on the Revenues of Company.

XVII. It shall be sufficient, in any Affidavit directed by the said recited Act to be made and produced in any Application thereby authorized, that such Affidavit bear that the Particulars required by the said recited Act to be specified therein are so specified to the best of the Knowledge and Belief of the Maker of such Affidavit; and where such Affidavit has not been or shall not be made and lodged at the Outset of the Proceedings under such Application, the Court shall direct such Omission to be supplied, and shall, on such Omission being supplied, proceed as if such Affidavit had been timeously given in.

Affidavit sufficient if stated to the best of Belief.

As to Affidavits not lodged in Time.

XVIII. Every Consent which, on the Behalf of any Heir of Entail being under Age, or subject to any legal Incapacity, whose Consent has been or is or shall be required under the said recited Act, has been or shall be given by any Tutor or Curator

Provision as to Consents for Minors and Incapacitated Persons.

Curator or other legal Guardian duly authorized to consent in Terms of the said recited Act on the Behalf of such Heir of Entail, shall be deemed and taken to be and shall be valid and sufficient, except in any Case of Application for disentailing, without the Concurrence of such Heir of Entail, and without any Consent to or Approval of the Actings of such Tutor or Curator or other legal Guardian, by such Heir of Entail; but the Consent of such Curator or other Guardian on Behalf of such Heir of Entail, in Terms of the said recited Act, shall not in any future Application under the said recited Act, or this Act, or in any Application under the said recited Act not yet finally disposed of (unless in any Case in the Circumstances of which the Court shall be of opinion that the Consent of the Tutor, Curator, or other legal Guardian alone is sufficient), be received or acted on where such Heir of Entail, being of sound mind, and above the Age of Fourteen Years, shall, in the course of the Application wherein such Consent may be tendered, enter Appearance and oppose the Reception of such Consent, which such Heir of Entail is hereby authorized to do.

Rights of
Heir of
Entail ob-
taining
Consents
and pre-
senting
Applica-
tion not to
be affected
by Altera-
tion of
Circum-
stances
afterwards
occurring.

XIX. The Date of presenting any Application under the said recited Act or under this Act shall be held to be the Day on which the First Interlocutor under such Application has been or shall be pronounced, and no Alteration of Circumstances which has occurred or which shall occur subsequent both to the Date of presenting such Application and to the last Date of the Consents required to the same, whether by the Birth of any intervening Heir or by the Death of any Granter of such Consent, or otherwise, except as herein-before specially provided, shall be deemed to have or shall have any Effect upon the Rights of the Party who shall present or who has presented such Application, or shall affect the Procedure taken therein.

Heirs of
Entail not
to give
Consents
where op-
posed by
Heritable
Creditors.

XX. Where any Heir of Entail called to the Succession of an entailed Estate by any Tailzie dated prior to the First Day of *August* One thousand eight hundred and forty-eight shall previous to the passing of the said recited Act have granted any Bond of Annuity or other Deed disposing or bearing to dispoise, or containing Obligation to dispoise, such Estate or any portion thereof in Security, such Heir of Entail shall not be entitled to give Consent to any Application under the said recited Act or this Act which shall be opposed by any Creditor in such Bond of Annuity or other Deed as aforesaid, and who shall either hold Infestment in such entailed Estate, duly recorded, or shall enter Appearance and prove his Debt or Claim in the course of the Proceedings under such Application: Provided always, that it shall be competent to the Court,

if,

if, with reference to any Offer of adequate Security, or otherwise in the Circumstances, it shall deem the Opposition on the Part of such Creditor to be unreasonable, to disallow the same, and to give Effect to the Consent of such Heir.

XXI. Where any Heir Apparent of an entailed Estate under a Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight shall, subsequent to the passing of the said recited Act, have granted any Bond of Annuity or other Deed disposing or bearing to dispoise, or containing Obligation to dispoise such Estate, or any Portion thereof, in Security, such Heir Apparent shall not be entitled to give Consent to any Application under the said recited Act or this Act, except under the like Circumstances as would have enabled him to give Consent, and to have his Consent allowed, had such Bond of Annuity or other Deed been granted previously to the passing of the said recited Act; but the Consents of the other Heirs Substitute shall be given and allowed independently of the Rights of any such Creditors.

Heir Apparent of Entail not to give Consent in opposition to such Creditors.

XXII. Where any Heir of Entail in possession of an entailed Estate under an Entail created before the passing of the said Act shall have lawfully propelled or shall hereafter lawfully propel such Estate, under Reservation of his own Liferent, to the Heir entitled to succeed him therein, any Application which has been or shall be made by him under the recited Act or under this Act, and all Procedure following thereon, shall be equally effectual in all respects as if he had not propelled the Succession, provided the Consents of the Persons whose Consents would have been required to such Application if he had not propelled the Succession as aforesaid be obtained thereto.

Propelling of Succession, under Reservation of Liferent, to have no Effect upon Applications under this or the recited Act.

XXIII. Every Bond and Disposition in Security hereafter to be granted under the said recited Act or under this Act may, in the Option of the Party upon whose Application to the Court the same shall be executed, contain a Power of Sale in Ordinary Form.

Bonds and Dispositions in Security may contain Power of Sale.

XXIV. Every Judgment and Decree pronounced, and that shall be pronounced upon any Application under the said recited Act or under this Act, where such Judgment or Decree has not been or shall not be brought under Review of the House of Lords by Appeal, or brought under Reduction upon any relevant Ground during the Period within which such Judgment or Decree might have been appealed from, shall, as regards Third Parties acting *bonâ fide* on the Faith thereof, be no longer reducible on any Ground of Irregularity or Noncompliance with the Provisions of the said recited Act or of this Act, but in respect of any such Ground of Challenge be final and

Judgments and Decrees to be final.

and conclusive; and the Period during which Challenge or Appeal is competent, under the said recited Act, or under this Act, of any such Judgment or Decree, or of any Instrument of Disentail, or other Deed executed in virtue of such Judgment or Decree, shall not be extended in respect of the Minority or Want of Capacity to act of any Person or Persons whatever.

Interpreta-
tion of
Terms.

XXV. The following Words occurring in this Act shall, except where the Nature of the Provision shall be repugnant to such Construction, be construed as follows; that is to say, the Words "Court of Session," or "the Court," shall be construed to mean either Division of the Court of Session; the Words "Heir of Entail" shall include "Institute;" the Word "Lands" shall extend to and comprehend all Heritages; and the Words "Entailed Estate" shall extend to and comprehend all Heritages which by the Law of *Scotland* may be made the Subject of Entail.

CAP. XCV.

An Act to provide for the Government of India.—
[20th August 1853.]

CAP. XCVI.

An Act to amend an Act passed in the Ninth Year of Her Majesty, "for the Regulation of the Care and Treatment of Lunatics."—[20th August 1853.]
(England.)

CAP. XCVII.

An Act to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics, in England.—[20th August 1853.]

CAP. XCVIII.

CAP. XCVIII.

An Act for the further Relief of the Suitors of the High Courts of Chancery.—[20th August 1853.]

CAP. XCIX.

An Act to substitute, in certain Cases, other Punishment in lieu of Transportation.—[20th August 1853.]

WHEREAS by reason of the Difficulty of transporting Offenders beyond the Seas it has become expedient to substitute, in certain Cases, other Punishment in lieu of Transportation: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. After the Commencement of this Act no Person shall be sentenced to Transportation who if this Act had not been passed would not have been liable to be transported for Life, or for a Term of Fourteen Years or upwards; and no Person shall be sentenced to Transportation for any Term less than Fourteen Years.

II. Any Person who if this Act had not been passed might have been sentenced to Transportation for a Term of less than Fourteen Years shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for such Term as herein-after mentioned.

III. Any Person who if this Act had not been passed might have been sentenced to Transportation for a Term of Fourteen Years or upwards or for Life shall, after the Commencement of this Act, be liable, at the Discretion of the Court, to be sentenced either to such Transportation for Fourteen Years or upwards or for Life, or to be kept in Penal Servitude for such Term as under this Act may be awarded instead of such Transportation.

IV. The Terms of Penal Servitude to be awarded instead of the Transportation to which any Offender would have been liable if this Act had not been passed shall be as follows; (that is to say,)

No Person to be sentenced to Transportation, except for Life or for 14 Years or upwards.

Sentence of Penal Servitude instead of Transportation for less than 14 Years.

Persons liable to Transportation for 14 Years or upwards or for Life may still be sentenced to Transportation, or to Penal Servitude instead.

Terms of Penal Ser-

Instead

vitue
which are
to be
awarded
instead of
the present
Terms of
Transportation.

Instead of Transportation for Seven Years or for a Term not exceeding Seven Years, Penal Servitude for the Term of Four Years :

Instead of any Term of Transportation exceeding Seven Years and not exceeding Ten Years, Penal Servitude for any Term not less than Four and not exceeding Six Years :

Instead of any Term of Transportation exceeding Ten Years, and not exceeding Fifteen Years, Penal Servitude for any Term not less than Six and not exceeding Eight Years :

Instead of any Term of Transportation exceeding Fifteen Years, Penal Servitude for any Term not less than Six and not exceeding Ten Years :

Instead of Transportation for the Term of Life, Penal Servitude for the Term of Life :

And in every Case where, at the Discretion of the Court, One of any Two or more of the Terms of Transportation herein-before mentioned might have been awarded, the Court shall have the like Discretion to award One of the Two or more Terms of Penal Servitude herein-before mentioned in relation to such Terms of Transportation.

Condition-
al Pardons
to be al-
lowed with
reference
to the sub-
stituted
Punish-
ment, as in
Cases of
Pardonson
Condition
of Trans-
portation.

V. Whenever Her Majesty, or the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, shall be pleased to extend Mercy to any Offender convicted of any Offence for which he may be liable to the Punishment of Death, upon Condition of his being kept to Penal Servitude for any Term of Years or for Life, such Intention of Mercy shall have the same Effect and may be signified in the same Manner, and all Courts, Justices, and others shall give Effect thereto and to the Condition of the Pardon in like Manner, as in the Cases where Her Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time, is or are now pleased to extend Mercy upon Condition of Transportation beyond Seas, the order for the Execution of such Punishment as Her Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, may have made the Condition of Her, his, or their Mercy being substituted for the Order for Transportation.

Persons
under Sen-
tence or
Order of
Penal Ser-
vitute how
to be dealt
with.

VI. Every Person who under this Act shall be sentenced or ordered to be kept in Penal Servitude may, during the Term of the Sentence or Order, be confined in any such Prison or Place of Confinement in any Part of the United Kingdom, or in any River, Port, or Harbour of the United Kingdom, in which Persons under Sentence or Order of Transportation may now by Law be confined, or in any other Prison in the

United

United Kingdom, or in any Part of Her Majesty's Dominions beyond the Seas, or in any Port or Harbour thereof, as One of Her Majesty's Principal Secretaries of State may from Time to Time direct; and such Person may during such Term be kept to Hard Labour and otherwise dealt with in all respects as Persons sentenced to Transportation may now by Law be dealt with while so confined.

VII. All Acts and Provisions of Acts now applicable with respect to Persons under Sentence or Order of Transportation shall, so far as may be consistent with the express Provisions of this Act, be construed to extend and be applicable to Persons under any Sentence or Order of Penal Servitude under this Act; and all the Powers and Provisions contained in the Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-four, authorizing the Appointment by Her Majesty from Time to Time of Places of Confinement as therein mentioned for Male Offenders under Sentence or Order of Transportation, and authorizing Her Majesty to order Male Offenders convicted in *Great Britain* and under Sentence or Order of Transportation to be kept to Hard Labour in any Part of Her Majesty's Dominions out of *England*, shall extend and be applicable to and for the Appointment by Her Majesty of like Places of Confinement in any Part of the United Kingdom for Offenders (whether Male or Female) sentenced under this Act in any part of the United Kingdom, and to and for the ordering of such Offenders to be kept to Hard Labour in any Part of Her Majesty's Dominions out of *England*; and all the Provisions of the said Act concerning the Removal to or from and Confinement in the Places of Confinement in or out of *England*, appointed under the said Act, of the Offenders therein mentioned, and all Acts and Provisions of Acts now in force concerning or relating to the Regulation and Government of such Places of Confinement, and the Custody, Treatment, Management, and Control of or otherwise in relation to the Offenders confined therein, shall, so far as the same may be consistent with the express Provisions of the Act, extend and be applicable to and for the Removal to and from and Confinement in the Places of Confinement appointed under this Act of the Offenders sentenced in any Part of the United Kingdom, and otherwise be applicable to and in respect of such Places of Confinement and the Offenders to be confined therein.

VIII. Provided always, That all the Powers vested under this Act, expressly or by reference to any other Act, in One of Her Majesty's Principal Secretaries of State, shall in relation to Places of Confinement in *Ireland*, or where such Powers are

All Acts
&c., con-
cerning
Convicts
sentenced
to Trans-
portation
made ap-
plicable
for the
Purposes
of this Act.

Powers of
Secretary
of State to
be exer-
cised in
Ireland by

Lord Lieutenant.

otherwise to be exercised in *Ireland*, be exercised by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and where the Signature of One of Her Majesty's Principal Secretaries of State would be necessary in relation to the Exercise of such Powers, the Signature of such Lord Lieutenant or Chief Governor or Governors, or his or their Chief Secretary, shall be sufficient in the Case of the Exercise of such Powers by such Lord Lieutenant or Chief Governor or Governors.

Her Majesty may grant Licences to be at large to Convicts under Sentence of Transportation.

IX. It shall be lawful for Her Majesty, by an Order in Writing under the Hand and Seal of One of Her Majesty's Principal Secretaries of State, to grant to any Convict now under Sentence of Transportation, or who may hereafter be sentenced to Transportation, or to any Punishment substituted for Transportation by this Act, a Licence to be at large in the United Kingdom and the Channel Islands, or in such Part thereof respectively as in such Licence shall be expressed, during such Portion of his or her Term of Transportation or Imprisonment, and upon such Conditions in all respects as to Her Majesty shall seem fit; and it shall be lawful for Her Majesty to revoke or alter such Licence by a like Order at Her Majesty's Pleasure.

Holder of Licence not to be imprisoned, &c. by reason of his Sentence.

X. So long as such Licence shall continue in force and unrevoked, such Convict shall not be liable to be imprisoned or transported by reason of his or her Sentence, but shall be allowed to go and remain at large according to the Term of such Licence.

If Licence revoked, the Convict may be apprehended, and committed to Prison.

XI. Provided always, That if it shall please Her Majesty to revoke any such Licence as aforesaid it shall be lawful for One of Her Majesty's Principal Secretaries of State, by Warrant under his Hand and Seal, to signify to any One of the Police Magistrates of the Metropolis that such Licence has been revoked, and to require such Magistrate to issue his Warrant under his Hand and Seal for the Apprehension of the Convict to whom such Licence was granted, and such Magistrate shall issue his Warrant accordingly, and such Warrant shall and may be executed by the Constable to whom the same shall be delivered for that Purpose in any Part of the United Kingdom, or in the Isles of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, and shall have the same Force and Effect in all the said Places as if the same had been originally issued or subsequently endorsed by a Justice of the Peace or Magistrate, or other lawful Authority having Jurisdiction in the Place where the same shall be executed; and such Convict when apprehended under such Warrant shall be brought, as soon as he conveniently may be, before the Magistrate by whom

whom the said Warrant shall have been issued, or some other Magistrate of the same Court, and such Magistrate shall thereupon make out his Warrant under his Hand and Seal for the Recommitment of such Convict to the Prison or Place of Confinement from which he was released by virtue of the said Licence, and such Convict shall be so recommitted accordingly, and shall thereupon be remitted to his or her original Sentence, and shall undergo the Residue thereof as if no such Licence had been granted.

XII. No Person shall, after the Commencement of this Act, be liable to be transported by reason only of a Conviction for Larceny after a previous Conviction for Felony, but every such Person so convicted may be punished by Penal Servitude for any Term not less than Four Years and not more than Ten Years.

Persons convicted of Larceny after previous Conviction for Felony not to be transported.

XIII. Provided always, That nothing in this Act contained shall in any Manner affect Her Majesty's Royal Prerogative of Mercy, or any Prerogative of Mercy vested in the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

Queen's Prerogative.

XIV. Provided also, That nothing herein contained shall interfere with or affect the Authority or Discretion of any Court in respect of any Punishment which such Court may now award or pass on any Offender other than Transportation, but where such other Punishment may be awarded at the Discretion of the Court, instead of Transportation, or in addition thereto, the same may be awarded instead of or (as the Case may be) in addition to the Punishment substituted for Transportation under this Act.

Discretion of Courts as to alternative Punishments not to be affected.

XV. For the Purposes of this Act, the Term "Transportation" shall include Banishment beyond the Seas.

Transportation to include Banishment.

XVI. This Act shall commence from and after the First Day of *September* One thousand eight hundred and fifty-three.

Commencement of Act.

CAP. C.

An Act further to extend and make compulsory the Practice of Vaccination.—[20th August 1853.]
(England.)

CAP. CI.

An Act to extend the Public Libraries Act, 1850, to Ireland and Scotland.—[20th August 1853.]

WHEREAS by the Public Libraries Act, 1850, Town Councils of Municipal Boroughs in *England* the Population of which exceeds Ten thousand Persons are enabled

13 & 14
Vict. c. 65.

to

to adopt certain Proceedings for establishing Public Libraries and Museums : And whereas it is expedient that Town Councils of the same Class of Boroughs in *Ireland* and *Scotland* should have the same Powers as are by that Act conferred on Town Councils in *England* : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

Provisions
of 13 & 14
Vict. c. 65,
extended
to Ireland
and Scot-
land.

Provost in
Scotland
to act in-
stead of
Mayor.

I. The "Public Libraries Act, 1850," shall extend to the Municipal Boroughs in *Ireland*, and the Royal and Parliamentary Burghs in *Scotland*, the Population of which, according to the last preceding Census taken by Authority of Parliament, exceeds or shall exceed Ten thousand Persons.

II. In *Scotland* the Chief Magistrate shall exercise the Powers and perform the Functions appointed by the said recited Act to be exercised and performed by the Mayor ; and the Parties entitled to vote shall be the registered Electors entitled to vote for the Election of Members of Parliament within the Parliamentary Boundaries of or attached to such Burghs.

CAP. CII.

An Act to prevent the defacing of the current Coin of the Realm.—[20th August 1853.]

WHEREAS a Practice has arisen of defacing the Coin of the Realm by stamping the same for advertising Purposes, and bending the same, and it is expedient to make Provision for preventing the Coin from being so defaced and bent : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Penalty
for de-
facing the
Coin by
stamping
Words
thereon or
bending
the same.

I. If any Person shall deface any of the Queen's current Gold, Silver, or Copper Coin by stamping thereon any Names or words, whether such Coin shall or shall not be thereby diminished or lightened, or shall use any Machine or Instrument for the Purpose of bending the same, every such Offender shall in *England* and *Ireland* be guilty of a Misdemeanour, and in *Scotland* of a Crime or Offence, and being convicted thereof shall be liable to Fine or Imprisonment, or Fine and Imprisonment, at the Discretion of the Court.

Tender of
Coin so de-
faced not to

II. No Tender of Payment in Money made in any Gold, Silver, or Copper Coin so defaced or stamped as aforesaid shall

shall be allowed to be a legal Tender; and if any Person shall tender, utter, or put off any Coin so defaced, stamped, or bent as aforesaid, he shall, on summary Conviction thereof before Two Justices, be liable to forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that it shall not be lawful for any Person to proceed for any such Penalty as last aforesaid without the Consent (in *England* or *Ireland*) of Her Majesty's Attorney-General for *England* or *Ireland* respectively, or (in *Scotland*) of the Lord Advocate.

be a legal Tender, and Penalty for uttering same.

CAP. CIII.

An Act to amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in Ireland.
—[20th August 1853.]

CAP. CIV.

An Act further to regulate the Employment of Children in Factories.—[20th August 1853.]

WHEREAS by an Act passed in the Fourth Year of King William the Fourth, intituled *An Act to regulate the Labour of Children and young Persons in Mills and Factories of the United Kingdom*, and an Act passed in the Seventh Year of Her Majesty, intituled *An Act to amend the Laws relating to Labour in Factories*, and an Act passed in the Tenth Year of Her present Majesty, intituled *An Act to limit the Hours of Labour of young Persons and Females in Factories*, and an Act passed in the Thirteenth and Fourteenth Years of Her Majesty, intituled *An Act to amend the Acts relating to Labour in Factories*, the Labour of Children, young Persons, and Females in Factories has been regulated, and by the said last-recited Act no young Person, and no Female above the Age of Eighteen Years, can be employed in any Factory before Six of the Clock of the Morning or after Six of the Clock of the Evening, save as therein otherwise provided: And whereas it is expedient that Children should not be employed in Factories at Times during which young Persons and Women may not now by Law be employed therein: Be it enacted by the Queen's most Excellent

3 & 4 W. 4.
c. 103.

7 & 8 Vict.
c. 15.

10 & 11
Vict. c. 29.

13 & 14
Vict. c. 54.

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows :

No Child to be employed before Six in the Morning nor after Six in the Afternoon.

I. After the Commencement of this Act no Child shall be employed in any Factory before Six of the Clock in the Morning or after Six of the Clock in the Evening of any Day (save to recover lost Time, as herein after provided), and no Child shall be employed in any Factory either to recover lost Time or for any other Purpose on any *Saturday*, after Two of the Clock in the Afternoon.

Power to employ Children in the Hours between Seven in the Morning and Seven in the Evening from 30th Sept. to 1st April, under certain Regulations.

II. Provided always, That during all or Part of the Period between the Thirtieth Day of *September* of any Year and the First Day of *April* of the following Year Children may be employed in any Factory, except on *Saturday*, after Six until Seven of the Clock of the Evening, under the following Regulations and Conditions; (that is to say), Notice signed by the Occupier of any Factory or his Agent of the Intention to employ Children under this Provision, specifying the Period, not being less than One Month, during which they are to be so employed in such Factory, shall be given to One of the Inspectors of Factories; and a Notice to the like Effect, in such Form as shall be approved by such Inspector, and signed by such Occupier or his Agent and by such Inspector, shall be hung or fixed up, according to the Directions for other Notices in the said secondly-recited Act, in such Factory, and during the Period specified in such Notice Children may be employed in such Factory after Six of the Clock and not later than Seven of the Clock of any Day except *Saturday*, and during the Period specified in such Notice save to recover lost Time, as herein provided), no Child shall be employed in such Factory before Seven of the Clock in the Morning of any Day except *Saturday*.

Children not to be employed under 7 & 8 Vict c. 15. s. 36., in recovering lost Time, after Seven in the Evening.

III. And whereas by the said Act of the Seventh and Eighth Years of Her Majesty it was enacted, that in any Factory in which any Part of the Machinery was moved by the Power of Water the Time which should have been lost by Stoppages from Want of Water or from too much Water might be recovered within Six Months next after the Stoppage between the Hours specified in the said firstly-recited Act as those within which Time lost by Drought or Excess of Water might be recovered, and that in order to recover Time so lost any Child or young Person might be employed One Hour in each Day more than the Time to which the ordinary daily Labour of Children and young Persons respectively was restricted by Law, except on *Saturday*: Be it therefore enacted, That

That no Child shall, in order to recover Time so lost as aforesaid, be employed after Seven of the Clock in the Evening of any Day; and the Times before Six of the Clock in the Morning and after Six of the Clock in the Evening during which any such Child is so employed in any Day shall not together exceed One Hour.

IV. Nothing in this Act shall be construed to authorize the Employment of any Children in any Factory for any longer Time in any Day than is now authorized under the said recited Acts, or to interfere with or affect the Provisions of the said Acts as to Meal Times or Holidays, or any other Provisions whatsoever of the said Acts, save so far as the same authorize the Employment of Children between any other Hours of the Day than are limited by this Act.

Hours of
Employ-
ment of
Children
not to be
extended.

V. The herein-before recited Acts, as amended by this Act, and this Act, shall be construed together as One Act.

Acts to be
construed
as one Act.

VI. This Act shall commence and take effect on the First Day of *September* One thousand eight hundred and fifty-three.

Commence-
ment of
Act.

CAP. CV.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.—
[20th August 1853.]

CAP. CVI.

An Act for consolidating Customs Duties Acts.—
[20th August 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. In lieu and instead of all other Duties and Drawbacks of Customs there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon Goods imported into or exported from any Part of the United Kingdom,

Instead of
all other
Duties and
Draw-
backs of
Customs

there shall be paid and allowed the Duties and Drawbacks in Tables annexed.

II. All Manufactures of *Gibraltar, Malta, and Heligoland*, made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, upon which no such Duty has been paid, or upon which Drawback of such Duty has been allowed in the United Kingdom, shall, for the Purposes of Duty, be deemed and taken to be the Produce of and imported from a Foreign Country.

III. For facilitating the due assessment of Duties on White-clayed Sugar, or Sugar rendered by any Process equal to White-clayed, with reference to Colour, Grain, and Saccharine Matter, and on Brown-clayed Sugar, or Sugar rendered by any Process equal in Quality to Brown-clayed Sugar, the Commissioners of Customs shall provide and renew from Time to Time Samples of White-clayed and Brown-clayed Sugar respectively, which shall be deemed to be standard Samples, for the Purpose of comparing therewith Sugars entered for Home Consumption; and no Sugar shall, as regards the Payment of Duty, be deemed to be White-clayed Sugar, or Sugar rendered by any Process equal to White-clayed Sugar, unless equal to the standard Sample of White-clayed Sugar, or be deemed to be Brown-clayed Sugar, or Sugar rendered by any Process equal to Brown-clayed Sugar, unless equal to the standard Sample of Brown-clayed Sugar.

IV. In lieu of all Duties of Customs now payable by Law upon the Importation of Goods into the *Isle of Man*, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the several Duties of Customs as the same are respectively set forth in Figures in Table (B.) to this Act annexed.

V. The Commissioners of the Treasury may from Time to Time, by any Order or Orders under their Hands, declare that all or any Articles legally importable into the *Isle of Man*, and not enumerated in the said Table, and upon which the said Duty of Fifteen Pounds for every Hundred Pounds value is hereby imposed, shall and may, from and after any Day or Days named in such Order or Orders, be imported from the Places and in the Manner therein mentioned into the *Isle of Man* Duty-free during such Time or Times as shall be therein named, or until such Order or Orders respectively, or any of them, shall be rescinded, and such Articles shall be imported Duty-free accordingly so long as any such Order or Orders, or any of them, shall continue unrescinded; and the said Commissioners

missioners may at any Time, by any Order under their Hands, revoke the whole or any Part of any previous Order or Orders, or any of them, for such Time and in such Manner as they may see fit ; and all Orders of the Commissioners of the Treasury made in pursuance of this Enactment shall be duly published in the *London* and *Dublin* Gazettes twice at least within Fourteen Days from the Date of such Orders respectively, and a Copy of every such Order shall be laid before both Houses of Parliament within Six Weeks after the Date of such Order if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders to be published in the Gazette, and laid before Parliament.

VI. And all the Goods described as Free in the said Table (A.) shall be exempt from Duty on the Importation thereof into the United Kingdom, and those described as Free in the said Table (B.) shall be exempt from Duty on the Importation thereof into the *Isle of Man*.

Free Goods.

VII. The Metage Dues now payable upon Fruit imported into the Port of *London* shall not be increased in consequence of the Duties upon such Fruit being levied by the Bushel.

Metage Dues on Fruit.

VIII. This Act shall commence from the Time of the passing thereof ; and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Customs Tariff Act, 1853."

Commencement of Act.

TABLE (A.)

DUTIES APPLICABLE TO THE UNITED KINGDOM.

		£	s.	d.
1.	Agates or cornelians, set for every 100l. Value	10	0	0
	not set, cut, or manufactured			Free.
	not cut or manufactured			Free.
2.	Albumen			Free.
3.	Ale. (See Beer.)			
4.	Alganobilla Seed			Free.
5.	Alkali, not being Barilla			Free.
6.	Alkanet Root			Free.
7.	Almonds, not Jordan, nor Bitter	the cwt.	0	10 0
	Jordan	the cwt.	0	10 0
	Bitter			Free.
	Paste of	the lb.	0	0 2
8.	Aloes			Free.
9.	Alum, Roch			Free.
	not Roch			Free.
10.	Amber, rough			Free.
	Manufactures of, not enumerated (except Beads			Free.
11.	Ambergris			Free.
12.	Amboyne Wood			Free.
13.	Anchovies. (See Fish.)			
14.	Angelica			Free.
15.	Animals (living), viz. :—			
	Asses			Free.
	Goats			Free.
	Kids			Free.
	Oxen and Bulls			Free.
	Cows			Free.
	Calves			Free.
	Horses, Mares, Geldings, Colts, Foals			Free.
	Mules			Free.
	Sheep			Free.
	Lambs			Free.
	Swine and Hogs			Free.
	Pigs (sucking)			Free.
16.	Annatto Roll and Flag			Free.
17.	Antimony, viz. :—			
	Ore of			Free.
	Crude			Free.
	Regulus			Free.
18.	Apples, raw	the Bushel	0	0 3
	of and from British Possessions	the Bushel	0	0 2
	dried	the Bushel	0	1 0
19.	Aquafortis			Free.
20.	Argol			Free.
21.	Aristolochia			Free.

		£	s.	d.
22. Arrowroot	the cwt.	0	0	4½
23. Arsenic		Free.		
24. Ashes, viz. :—				
Pearl and Pot		Free.		
Soap		Free.		
Weed		Free.		
Wood		Free.		
not enumerated		Free.		
25. Asphaltum or Bitumen Judaicum		Free.		
26. Bacon		Free.		
27. Balsams, viz. :—				
Canada		Free.		
Capivi		Free.		
Peru		Free.		
Riga		Free.		
Tolu		Free.		
Balm of Gilead, and unenumerated Balsam		Free.		
28. Bandstring Twist		Free.		
29. Barilla		Free.		
30. Bark for Tanner's or Dyer's Use		Free.		
Cascarilla		Free.		
Peruvian		Free.		
of other Sorts		Free.		
Extract of. (See Extract.)				
31. Barley, pearled	the cwt.	0	0	4½
32. Barwood		Free.		
33. Barytes, Sulphate of ground		Free.		
34. Basket Rods, peeled		Free.		
unpeeled		Free.		
35. Baskets corresponding with the Description commonly				
called Berlin	the Cubic Foot	0	0	7
All others	the Cubic Foot	0	0	2
36. Bast Ropes, Twines and Strands		Free.		
37. Beads, viz. :—				
Arango	the lb.	0	0	2
and Bugles of Glass		Free.		
Coral	the lb.	0	1	6
Crystal	the lb.	0	0	2
Jet	the lb.	0	0	2
not otherwise enumerated or described	the lb.	0	0	2
38. Beans, Kidney and French. (See Seeds.)				
39. Beef, salted		Free.		
fresh, or slightly salted		Free.		
40. Beef Wood		Free.		
41. Beer or Ale	the Barrel	1	0	0
Mum	the Barrel	1	0	0
Spruce	the Barrel	1	0	0
of other Sorts	the Barrel	1	0	0
42. Berries, viz. :—				
Bay		Free.		
Juniper		Free.		
Yellow		Free.		
Myrobalane		Free.		
unenumerated, commonly made use of in Chemical				
Processes		Free.		

		£	s.	d.
42. Berries— <i>continued</i> .				
	unenumerated, not commonly made use of in Chemical Processes	Free.		
43. Birds, viz., Singing Birds		Free.		
44. Biscuit and Bread	the cwt.	0	0	4½
45. Bitumen Judaicum. (See Asphaltum.)				
46. Blacking		Free.		
47. Black Wood		Free.		
48. Bladders		Free.		
49. Bones (except Whale Fins), whether burnt or not, or as Animal Charcoal		Free.		
50. Books, viz.:—				
	being of Editions printed prior to the Year 1801, bound or unbound	Free.		
	being of Editions printed in or since the Year 1801, bound or unbound	1	10	0
	admitted under Treaties of International Copyright, or if of and from any British Possession	0	15	0
51. Boracic Acid		Free.		
52. Borax, refined		Free.		
53. Borax, or Tincal, unrefined		Free.		
54. Bottles, of Earth and Stone		Free.		
55. Boxes of all Sorts, excepting those made wholly or partly of Glass, on which the proper Glass Duty will be levied for every 100l. Value		10	0	0
56. Box Wood		Free.		
57. Bran		Free.		
58. Brass, Manufactures of, not otherwise enumerated, ...	the cwt.	0	10	0
	Powder of	Free.		
	Old, fit only to be re-manufactured	Free.		
	Wire	Free.		
59. Brazil Wood		Free.		
60. Braziletto Wood		Free.		
61. Bricks or Clinkers, Dutch		Free.		
	other Sorts	Free.		
62. Brimstone, unrefined		Free.		
	refined, in Rolls	Free.		
	in Flour	Free.		
63. Bristles, rough and in the Tufts, and not in any way sorted in any way sorted or arranged in Colours, and not entirely rough and in the Tufts		Free.		
64. Brocade, of Gold or Silver	the lb.	0	5	0
65. Bronze, all Works of Art		Free.		
	Manufactures of, or of Metal bronzed or lacquered, ...			
	Powder	0	10	0
66. Brushes, Paint		Free.		
67. Bullion and Foreign Coin, of Gold or Silver		Free.		
68. Bulrushes		Free.		
69. Butter	the cwt.	0	5	0
	of and from a British Possession	0	2	6
70. Buttons of Metal		Free.		
	other Sorts	Free.		

		£	s.	d.
71.	Cables (not being Iron Cables,) tarred or untarred, old and new	Free.		
72.	Cameos, not set	Free.		
73.	Camomile Flowers	Free.		
74.	Camphor, unrefined	Free.		
	refined	Free.		
75.	Camwood	Free.		
76.	Candles, viz., Spermaceti the cwt.	0	2	4
	Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case, or after the 5th April 1858, this Duty shall be reduced to the same Rate as Tallow			
	Candles the cwt.	0	3	6
	Tallow the cwt.	0	2	4
	Wax the cwt.	0	2	4
77.	Candlewick	Free.		
78.	Canella, Alba	Free.		
79.	Canes, viz., Bamboo	Free.		
	Rattans, not ground	Free.		
80.	Reed Canes	Free.		
	Walking Canes or Sticks, mounted, painted, or otherwise ornamented the 100	0	6	0
	Umbrella and Parasol Sticks the 100	0	3	0
	or Sticks, unenumerated	Free.		
81.	Cantharides	Free.		
82.	Caoutchouc	Free.		
	Manufactures of the lb.	0	0	4
83.	Capers, including the Pickle the lb.	0	0	1½
84.	Cardamoms	Free.		
85.	Cards, viz., Playing Cards the Dozen Packs	0	15	0
86.	Carmine	Free.		
87.	Carriages of all Sorts	Free.		
88.	Casks, empty	Free.		
89.	Cassava Powder the cwt.	0	0	4½
90.	Cassia, viz., Buds	Free.		
	Fistula	Free.		
	Lignea the lb.	0	0	1
91.	Castor	Free.		
92.	Casts of Busts, Statues, or Figures	Free.		
93.	Catlings	Free.		
94.	Caviare	Free.		
95.	Cedar Wood	Free.		
96.	Chalk, viz., unmanufactured	Free.		
	prepared or manufactured, and not otherwise enumerated	Free.		
97.	Cheese the cwt.	0	2	6
	of and from British Possessions the cwt.	0	1	6
	The Duty on Cheese to be charged on landing Weight.			
98.	Cherries, raw the Bushel	0	0	2
	dried, until 5th July 1854 inclusive the lb.	0	0	2
	from and after 5th July 1854 the lb.	0	0	1½
99.	Cherry Wood	Free.		
100.	Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz.,			

100. Chicory— <i>continued</i> .		£.	s.	d.
roasted or ground	the lb.	0	0	4
raw or kiln-dried, until 10th October 1854 inclusive,				
the cwt.		0	4	0
from and after 10th October 1854		Free.		
101. China Root		Free.		
102. China or Porcelain Ware, plain, painted, gilt, and ornamented	the cwt.	0	10	0
103. Chip or Willow for platting		Free.		
104. Cider		Free.		
105. Cinnabaris nativa		Free.		
106. Cinnamon	the lb.	0	0	2
107. Citrate of Lime		Free.		
108. Citric Acid		Free.		
109. Citron, preserved with Salt		Free.		
110. Civet		Free.		
111. Clocks, viz., not exceeding the Value of 5s. each				
the Dozen		0	4	0
exceeding the Value of 5s. and not exceeding the Value of 12s. 6d. each	the Dozen	0	8	0
exceeding the Value of 12s. 6d. and not exceeding the Value of £3 each	each	0	2	0
exceeding the Value of £3 and not exceeding the Value of £10 each	each	0	4	0
exceeding the Value of £10 each	each	0	10	0
112. Cloves	the lb.	0	0	2
113. Coals, Culm, or Cinders		Free.		
114. Cobalt		Free.		
Ore of		Free.		
Oxide of		Free.		
115. Cochineal		Free.		
Granilla		Free.		
Dust		Free.		
116. Cochinella Wood		Free.		
117. Cocoa				
Husks and Shells	the lb.	0	0	1
Paste or Chocolate	the lb.	0	0	0½
118. Coccus Indicis	the lb.	0	0	2
119. Coffee	the cwt.	0	5	0
kiln-dried, roasted, or ground	the lb.	0	0	3
120. Coir Rope, Twine, and Strands		0	0	4
121. Colocynth		Free.		
122. Columbo Root		Free.		
123. Comfits, dry, until 5th July 1854 inclusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
124. Confectionery, until 5th July 1854 inclusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
125. Copper, Ore of		Free.		
Regulus of		Free.		
old, fit only to be re-manufactured		Free.		
unwrought, viz., in Bricks or Pigs, Rose Copper, and all cast Copper		Free.		
Part wrought, viz., Bars, Rods, or Ingots hammered or raised		Free.		
in Plates and Copper Coin		Free.		
Wire		Free.		

		£	s.	d.
125. Copper— <i>continued</i> .				
Manufactures of, not otherwise enumerated or described, and Copper Plates engraved		the cwt.	0	10 0
126. Copperas, Blue				Free.
Green				Free.
White				Free.
127. Coral, viz., Beads. (See Beads.)				Free.
in Fragments				Free.
whole, polished				Free.
unpolished				Free.
Negligees		the lb.	0	1 0
128. Cordage, tarred or untarred				Free.
129. Cork				Free.
130. Corks, ready made		the lb.	0	0 6
squared for rounding		the cwt.	0	8 0
Fishermen's				Free.
131. Corn, Grain, Meal, and Flour, viz.:—				
Wheat		the Quarter	0	1 0
Barley		the Quarter	0	1 0
Oats		the Quarter	0	1 0
Rye		the Quarter	0	1 0
Pease		the Quarter	0	1 0
Beans		the Quarter	0	1 0
Maize or Indian Corn		the Quarter	0	1 0
Buck Wheat		the Quarter	0	1 0
Bear or Bigg		the Quarter	0	1 0
Wheat Meal and Flour		the cwt.	0	0 4 $\frac{1}{2}$
Barley Meal		the cwt.	0	0 4 $\frac{1}{2}$
Oat Meal and Groats		the cwt.	0	0 4 $\frac{1}{2}$
Rye Meal and Flour		the cwt.	0	0 4 $\frac{1}{2}$
Pea Meal		the cwt.	0	0 4 $\frac{1}{2}$
Bean Meal		the cwt.	0	0 4 $\frac{1}{2}$
Maize or Indian Corn Meal		the cwt.	0	0 4 $\frac{1}{2}$
Buck Wheat Meal		the cwt.	0	0 4 $\frac{1}{2}$
				Free.
132. Cowries				
133. Cotton Manufactures, viz.:—				
East India Piece Goods, viz.:—				
Calicoes and Muslins, White				Free.
dyed or coloured				Free.
Nankeens, not dyed or coloured				Free.
dyed or coloured				Free.
Handkerchiefs, dyed or coloured				Free.
Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty				Free.
Wool. (See Wool.)				
Yarn				Free.
Fringe		the lb.	0	0 2
Gloves, of Cotton or Thread		the Dozen Pairs	0	0 3
Stockings, of Cotton or Thread		the Dozen Pairs	0	0 6
Socks or Half Hose, of Cotton or Thread		the Dozen Pairs	0	0 3
Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty, for every 100 <i>l.</i> Value			5	0 0
				Free.
134. Cranberries				Free.
135. Crayons				Free.

	£	s.	d.
136. Cream of Tartar			Free.
137. Crystal, viz.:—			
rough			Free.
cut or manufactured, except Beads			Free.
138. Cubebs			Free.
139. Cubic Nitre. (See Nitre.)			
140. Cucumbers, viz., preserved in Salt			Free
141. Currants	the cwt.	0 15 0	
	and 5 per Cent.	thereon.	
142. Cutch			Free.
143. Daguerreotype Plates	the lb.	0 0 3	
144. Dates	the cwt.	0 10 0	
145. Diamonds			Free.
146. Dice	the Pair	1 1 0	
147. Divi Divi			Free.
148. Down			Free.
149. Drugs, not enumerated			Free.
150. Earthenware, not otherwise enumerated or described,	the cwt.	0 10 0	
151. Ebony			Free.
152. Eggs	the 120	0 0 4	
of and from British Possessions	the 120	0 0 2½	
153. Elder Flower Water			Free.
154. Embroidery and Needlework, viz.:—			
Silk Net, figured with the Needle, being Imitation			
Lace, and Articles thereof	the lb.	0 10 0	
Cotton Net, figured with the Needle, being Imita-			
tion Lace, and Articles thereof	the lb.	0 8 0	
Curtains, commonly called Swiss, embroidered on			
Muslin or Net	the lb.	0 1 0	
All other Embroidery not enumerated,			
for every 100l. Value	10	0 0	
of and from British Possessions,			
for every 100l. Value	5	0 0	
155. Enamel			Free.
156. Essence of Spruce	for every 100l. Value	10 0 0	
157. Extract of Cardamoms	for every 100l. Value	20 0 0	
Coculus Indicus	for every 100l. Value	20 0 0	
Guinea Grains of Paradise	for every 100l. Value	20 0 0	
Licorice	for every 100l. Value	20 0 0	
Nux Vomica	for every 100l. Value	20 0 0	
Opium	for every 100l. Value	20 0 0	
Guinea Pepper	for every 100l. Value	20 0 0	
Peruvian or Jesuit's Bark	for every 100l. Value	20 0 0	
Quassia	for every 100l. Value	20 0 0	
Rhadix Rhatanice	for every 100l. Value	20 0 0	
Vitriol	for every 100l. Value	20 0 0	
Chesnut Bark or Wood			Free.
Quercitron Bark			Free.
Logwood			Free.
Safflower			Free.
Bark, or of other Vegetable Substances to be used			
for tanning or other manufacturing Purposes			Free.
158. Extract or Preparation of any Article, not particularly			
enumerated, nor otherwise charged with Duty,			
for every 100l. Value	20	0 0	

	£	s.	d.
or, and in lieu of the above Duty, at the Option of the Importer the lb.	0	5	0
159. Feathers for Beds, in Beds or otherwise			Free.
Ostrich, dressed the lb.	0	3	0
undressed			Free.
Paddy Bird, dressed the lb.	0	3	0
undressed			Free.
not otherwise enumerated or described, viz. :—			
dressed the lb.	0	3	0
undressed			Free.
160. Figs the cwt.	0	15	0
	and 5 per cent. thereon.		
161. Fig Cake the cwt.	0	15	0
162. Fish, viz. :—			
Anchovies			Free.
Cod			Free.
Caplin			Free.
Eels, Shiploads			Free.
in small Quantities			Free.
Herrings			Free.
Lobsters			Free.
Mackerel			Free.
Oysters			Free.
Salmon			Free.
Soles			Free.
Sounds and Tongues			Free.
Turbots			Free.
Turtle			Free.
fresh, not otherwise enumerated			Free.
cured, not otherwise enumerated			Free.
163. Flax, dressed			Free.
rough or undressed			Free.
Tow and Codilla of			Free.
164. Flock for Paper Stainers			Free.
165. Flocks			Free.
166. Flower Roots			Free.
167. Flowers, Artificial, whether of Silk or of other Materials, per Cubic Foot as packed ; no Allowance for vacant Spaces the Cubic Foot	0	12	0
168. Frames for Pictures, Prints, Drawings, or Mirrors			Free.
169. Fruit, viz., raw, not otherwise enumerated the Bushel	0	0	2
170. Furniture Woods, not particularly enumerated, except Ash, Beech, Birch, Elm, Oak, Wainscoat			Free.
171. Fustic			Free.
172. Gallic Powder			Free.
173. Galls			Free.
174. Gamboge			Free.
175. Garancine			Free.
176. Garnets, cut, not set			Free.
uncut			Free.
177. Gauze of Thread			Free.
178. Gelatine			Free.
179. Gentian			Free.
180. Ginger the cwt.	0	10	0
of and from British Possessions the cwt.	0	5	0

		£	s.	d.
180. Ginger— <i>continued</i> .				
	preserved, until 5th July 1854 inclusive the lb.	0	0	2
	from and after 5th July 1854 the lb.	0	0	1½
181. Ginseng				Free.
182. Glass, viz. :—				
	Any kind of Window Glass, White, or stained of One Colour only, (except Plate or rolled Glass.) and Shades and Cylinders, until the 5th April 1855 inclusive the cwt.	0	2	6
	from and after 5th April 1855, until 5th April 1857 inclusive the cwt.	0	1	6
	from and after 5th April 1857			Free.
	Flint Cut Glass, Flint Coloured Glass, and Fancy Ornamental Glass, of whatever kind the cwt.	0	10	0
	Plate Glass, cast or rolled, of whatever Thickness, whether silvered, polished, or rough			Free.
	Painted			Free.
	White Flint Glass Bottles, not cut, engraved, or otherwise ornamented			Free.
	Beads and Bugles. (See Beads.)			
	Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented			Free.
	Bottles of Glass covered with Wicker (not being Cut Glass) or of Green or Common Glass			Free.
	Articles of Green or Common Glass			Free.
	Manufactures, not otherwise enumerated or described, and old broken Glass fit only to be re-manufactured			Free.
183. Glue				Free.
	Clippings or Waste of any kind fit only for Glue			Free.
184. Gold, Leaves of				Free.
	Ore of, and Ore of which the greater Part in Value is Gold			Free.
185. Grains, Guinea, and of Paradise	the cwt.	0	15	0
186. Grapes	the Bushel	0	0	2
187. Grease				Free.
188. Greaves, for Dogs				Free.
	Tallow			Free.
189. Guano				Free.
190. Gum, viz. :—				
	Animi			Free.
	Copal			Free.
	Arabic			Free.
	Senegal			Free.
	Lac Dye			Free.
	Seed Lac			Free.
	Shellac			Free.
	Sticklac			Free.
	Ammoniacum			Free.
	Asafoetida			Free.
	Euphorbium			Free.
	Guaiacum			Free.
	Kino			Free.
	Mastic			Free.
	Tragacanth			Free.
	Unenumerated			Free.

	£	s.	d.
191. Gunpowder			Free.
192. Gun Stocks in the rough, of Wood			Free.
193. Gutta Percha			Free.
Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubbing the cwt.	0	5	0
Articles moulded, ... the lb.	0	0	2
194. Gypsum			Free.
195. Hair, viz. :—			
Camel's Hair or Wool			Free.
Cow, Ox, Bull, or Elk Hair			Free.
Goat's Hair or Wool. (See Wool.)			
Horse Hair			Free.
Human			Free.
Unenumerated			Free.
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, not particu- larly enumerated or otherwise charged with Duty			Free.
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty			
for every 100 <i>l.</i> Value	5	0	0
196. Hams, of all Kinds			Free.
197. Harp-strings, or Lute-strings silvered			Free.
198. Hats or Bonnets, viz. :—			
Of Chip the lb.	0	2	6
Of Bast, Cane, or Horsehair the lb.	0	2	6
Of Straw the lb.	0	2	6
Of Felt, Hair, Wool, or Beaver each	0	1	0
199. Hats of Silk or Silk Shag, laid upon Felt, Linen, or other Material each	0	1	0
200. Hay			Free.
201. Heath for Brushes			Free.
202. Hellebore			Free.
203. Hemp, viz. :—			
dressed			Free.
rough or undressed			Free.
Tow and Codilla of Hemp			Free.
Jute			Free.
other Vegetable Substances of the Nature and Qua- lity of undressed Hemp, and applicable to the same Purposes			Free.
204. Hides, not tanned, tawed, curried, or in any way dressed, dry			Free.
wet			Free.
tawed, curried, or in any way dressed, not being varnished, japanned, or enamelled			Free.
if varnished, japanned, or enamelled			Free.
Josh Hides			Free.
Muscovy or Russia Hides, or Pieces thereof, tanned, coloured, shaved, or otherwise dressed			Free.
Hides or Pieces thereof, raw or undressed, unenu- merated			Free.
in any way dressed, not otherwise enumerated			Free.

		£	s.	d.
204.	Hides— <i>continued</i> .			
	Tails, Buffalo, Bull, Cow, or Ox			Free.
	tanned, not otherwise dressed			Free.
205.	Hones			Free.
206.	Honey			Free.
207.	Hoofs of Cattle			Free.
208.	Hoops of Wood. (See Wood.)			
209.	Hops	the cwt.	2	5 0
210.	Horns, Horn Tips, and Pieces of Horn			Free.
211.	Ice			Free.
212.	Indigo			Free.
213.	Ink, for Printers			Free.
	Indian			Free.
214.	Inkle, unwrought			Free.
	wrought			Free.
215.	Iron, Ore of			Free.
	Pig			Free.
	Bars, unwrought			Free.
	Wire			Free.
	Rough Castings			Free.
	Bloom			Free.
	Chromate of			Free.
	Slit or Hammered into Rods			Free.
	Cast			Free.
	Hoops			Free.
	Old broken, and old Cast Iron			Free.
216.	Iron and Steel, wrought or manufactured, viz. :—			
	Machinery, Wrought Castings, Tools, Cutlery, and			
	other Manufactures of Iron or Steel, not enu-			
	merated,	the cwt.	0	2 6
	Fancy ornamental Articles of Iron or Steel	the cwt.	0	15 0
217.	Isinglass			Free.
218.	Jalap			Free.
219.	Japanned or Lacquered Ware	for every 100℥. Value	10	0 0
220.	Jet			Free.
221.	Jewels, Emeralds, and all other precious Stones, set,			
	for every 100℥. Value	10	0 0	
	unset			Free.
222.	Juice of Lemons, Limes, or Oranges			Free.
223.	Kernels. (See Nuts.)			
224.	Kingwood			Free.
225.	Lace, and Articles thereof, viz. :—			
	Mohair or Worsted	the lb.	0	1 0
	Thread or Cotton Pillow Lace (not being Brussels			
	Point or Saxon Bone Lace), not exceeding One			
	Inch in Width	the lb.	1	0 0
	exceeding One Inch in Width.	the lb.	2	0 0
	Silk Pillow Lace (not being Saxon Wire Ground			
	Lace), and Application	the lb.	1	10 0
	Silk Saxon Wire Ground Lace, and all Lace known			
	as Maltese	the lb.	0	8 0
	Brussels Point and other Lace, made by the Hand,			
	not otherwise charged with Duty			
	for every 100℥. Value	10	0 0	
226.	Lacquered Ware. (See Japanned Ware.)			
227.	Lamp Black			Free.

			£	s.	d.
228.	Lapis Calaminaris	.	.	.	Free.
229.	Lard	.	.	.	Free.
230.	Latten	.	.	.	Free.
	Shaven	.	.	.	Free.
	Wire	.	.	.	Free.
231.	Lavender Flowers	.	.	.	Free.
232.	Lead, Ore of	.	.	.	Free.
	Black	.	.	.	Free.
	Pig and Sheet	.	.	.	Free.
	Red	.	.	.	Free.
	White	.	.	.	Free.
	Chromate of.	.	.	.	Free.
	Manufactures of, not otherwise enumerated.	the cwt.	0	2	0
233.	Leather Manufactures, viz. :—				
	Boots, Shoes, and Calashes, viz.				
	Women's Boots and Calashes	the Dozen Pairs	0	6	0
	If lined or trimmed with Fur or other Trim-				
	mings	the Dozen Pairs	0	7	6
	Shoes with Cork or Double Soles, quilted Shoes				
	and Clogs	the Dozen Pairs	0	5	0
	If trimmed or lined with Fur or any other				
	Trimming	the Dozen Pairs	0	6	0
	Women's Shoes of Silk, Satin, Jean, or other				
	Stuffs, Kid, Morocco, or other Leather	the Dozen Pairs	0	4	6
	If trimmed or lined with Fur or any other				
	Trimming	the Dozen Pairs	0	5	0
	Girls' Boots, Shoes, and Calashes, not exceeding				
	Seven Inches in Length, to be charged with				
	Two Thirds of the above Duties.				
	Men's Boots and Shoes :—				
	If the Quarter do not exceed Two and Three				
	Quarter Inches, or the Vamp Four Inches in				
	Height from the Sole Inside, the Dozen Pairs		0	7	0
	If either the Quarter or Vamp exceed the above				
	Dimensions, but do not exceed Six Inches				
	in Height from the Sole Inside	the Dozen Pairs	0	10	6
	If either the Quarter or Vamp do exceed Six				
	Inches in Height from the Sole Inside	the Dozen Pairs	0	14	0
	Boys' Boots, not exceeding Seven Inches in				
	Length	the Dozen Pairs	0	9	4
	Shoes, not exceeding Seven Inches in				
	Length	the Dozen Pairs	0	4	8
	Boot Fronts, not exceeding Nine Inches in				
	Height	the Dozen Pairs	0	1	9
	exceeding Nine Inches in				
	Height	the Dozen Pairs	0	2	9
	Boot Backs	the Dozen Pairs	0	1	6
	Cut into Shapes	the cwt.	0	10	0
	Gloves of Leather, the following Duties, with				
	5 per Cent. thereon, viz. :—				
	Habit Mitts	the Dozen Pairs	0	2	4
	Gloves	the Dozen Pairs	0	3	6

		£	s.	d.
233.	Leather Manufactures— <i>continued</i> .			
	Men's Gloves the Dozen Pairs	0	3	6
	Women's Gloves or Mitts the Dozen Pairs	0	4	6
	Any articles made of Leather or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described for every 100 <i>l</i> . Value	10	0	0
234.	Leaves of Gold. (See Gold.)			
235.	Leaves of Roses			Free.
236.	Leeches			Free.
237.	Lentils. (See Seeds.)			
238.	Lignum vitæ			Free.
239.	Linen or Linen and Cotton Manufactures, viz. :—			
	Cambric Handkerchiefs, hemmed or hem-stitched, not trimmed the Dozen	0	2	6
	Stays the Dozen Pairs	0	4	0
	Articles, Manufactures of Linen, or of Linen mixed with Cotton or Wool, wholly or in part made up, not particularly enumerated, or otherwise charged with Duty for every 100 <i>l</i> . Value	5	0	0
	Cambrics and Lawns, commonly called French Lawns, plain			Free.
	Bordered Handkerchiefs			Free.
	Lawns of any sort, not French			Free.
	Damasks			Free.
	Damask Diaper			Free.
	Sails of all Sorts			Free.
	Plain Linens and Diaper, whether chequered or striped with dyed Yarn or not			Free.
	Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty, not being Articles wholly or in part made up			Free.
240.	Liquorice Paste the cwt.	1	0	0
	of and from British Possessions the cwt.	0	10	0
	Powder the cwt.	1	0	0
	of and from British Possessions the cwt.	0	15	0
	Root, until 5th April 1857 inclusive the cwt.	0	5	0
	from and after 5th April 1857			Free.
	Juice the cwt.	1	0	0
241.	Litharge			Free.
242.	Live Creatures illustrative of Natural History			Free.
243.	Logwood			Free.
244.	Lucifers, of Wood, in Boxes containing not more than 100 Matches the Gross of Boxes	0	0	2
	in Boxes containing more than 100 Matches the Gross of Boxes	0	0	3
	Vesta, of Wax, in Boxes not exceeding 1,000 Matches the Doz. Boxes	0	0	6
	in Boxes exceeding 1,000 Matches the 1,000 Matches	0	0	0½
245.	Maccaroni. (See Vermicelli.)			
246.	Mace the lb.	0	1	0
247.	Madder			Free.
	Root			Free.
248.	Magno Græcia Ware			Free.

		£	s.	d.
249. Mahogany	.	.	.	Free.
250. Mandioca Flour	.	.	.	the cwt. 0 0 4½
251. Manganese, Ore of	.	.	.	Free.
252. Manna	.	.	.	Free.
253. Manna Croup	.	.	.	the cwt. 0 0 4½
254. Manures not enumerated	.	.	.	Free.
255. Manuscripts	.	.	.	Free.
256. Maps or Charts, or Parts thereof, plain or coloured	.	.	.	Free.
257. Maple Wood	.	.	.	Free.
258. Marmalade, until 5th July 1854 inclusive	.	.	.	the lb. 0 0 2
from and after 5th July 1854	.	.	.	the lb. 0 0 1½
259. Mats and Matting	.	.	.	Free.
260. Mattresses	.	.	.	Free.
261. Mead or Metheglin	.	.	.	Free.
262. Meat, salted or fresh, not otherwise described	.	.	.	Free.
preserved in any other Way than salted	.	.	.	Free.
263. Medals of Gold or Silver	.	.	.	Free.
of any other Sort	.	.	.	Free.
264. Medlars	.	.	.	the Bushel 0 0 2
265. Mercury, prepared	.	.	.	Free.
266. Metal, Bell	.	.	.	Free.
Leaf, not Gold	.	.	.	Free.
267. Mill-boards	.	.	.	the lb. 0 0 2½
268. Minerals and Fossils unenumerated	.	.	.	Free.
269. Models of Cork or Wood	.	.	.	Free.
270. Morphia and its Salts	.	.	.	the lb. 0 5 0
271. Moss, viz. :—				
Lichen Islandicus	.	.	.	Free.
Rock, for Dyers Use	.	.	.	Free.
other than Rock or Iceland Moss	.	.	.	Free.
272. Mother-o'-Pearl Shells	.	.	.	Free.
273. Musical Instruments, viz. :—				
Musical Boxes, small, not exceeding Four Inches				
in Length	.	.	.	the Air 0 0 3
large	.	.	.	the Air 0 0 8
Overtures, or Extra Accompaniments,				
				the Air 0 2 6
Pianofortes, horizontal grand	.	.	.	each 3 0 0
upright or square	.	.	.	each 2 0 0
Harmoniums or Seraphines, not exceeding Three				
Stops	.	.	.	each 0 12 0
Four Stops and not exceeding Seven Stops				
				each 1 4 0
Eight Stops and not exceeding Eleven Stops				
				each 1 10 0
exceeding Eleven Stops	.	.	.	each 2 0 0
Accordions, commonly called Chinese, the 100 Notes				0 1 0
other Sorts, including Flutinas, and common				
German Concertinas	.	.	.	the 100 Notes 0 5 0
Concertinas of octagon Form, not common German				
				each 0 4 0
Brass Instruments, all Sorts	.	.	.	the lb. 0 0 9
Musical Instruments, not otherwise enumerated or				
described	.	.	.	for every 100%. Value 10 0 0
274. Musk	.	.	.	Free.

		£	s.	d.
275. Mustard, Flour	the cwt.	0	1	6
mixed or manufactured, except Flour	the cwt.	0	5	0
276. Myrobalanes. (See Berries.)				
277. Myrrh				Free.
278. Naphtha				Free.
279. New Zealand Wood				Free.
280. Nicaragua Wood				Free.
281. Nickel, Ore of				Free.
metallic, and Oxide of, refined				Free.
Arseniate of, in Lumps or Powder, being in an unrefined State				Free.
282. Nitre, viz., Cubic Nitre				Free.
283. Nutmegs, except those commonly called Wild .	the lb.	0	1	0
Wild, in the Shell	the lb.	0	0	3
not in the Shell	the lb.	0	0	5
284. Nuts, viz. :—				
Chesnuts				Free.
Coco Nuts				Free.
Pistachio Nuts				Free.
Small Nuts	the Bushel	0	1	0
Walnuts	the Bushel	0	1	0
Nuts and Kernels of Walnuts, of Peach Stones, and all Nuts and Kernels unenumerated, commonly used for expressing Oil therefrom				Free.
Nuts and Kernels unenumerated				Free.
285. Nux Vomica	the cwt.	0	2	0
286. Oakum				Free.
287. Ochre				Free.
288. Oil of Almonds	the lb.	0	0	1
Animal				Free.
Bays	the lb.	0	0	1
Castor				Free.
Chemical, Essential, or Perfumed, viz. :—				
Bergamot	the lb.	0	1	0
Carraway	the lb.	0	1	0
Cassia	the lb.	0	1	0
Cloves	the lb.	0	1	0
Lavender	the lb.	0	1	0
Lemon	the lb.	0	1	0
Mint and Spearmint	the lb.	0	1	0
Oil or Otto of Roses	the lb.	0	1	0
Peppermint	the lb.	0	1	0
Spike	the lb.	0	1	0
Thyme	the lb.	0	1	0
unenumerated	the lb.	0	1	0
Cocoa Nut				Free.
Hempseed				Free.
Lard				Free.
Linseed				Free.
Olive				Free.
Palm				Free.
Paran				Free.
Rapeseed				Free.
Rock				Free.
Rosin				Free.

288. Oil— <i>continued</i> .		£	s.	d.
Seed, unenumerated	.	Free.		
Train Oil or Blubber	.	Free.		
Spermaceti, or Head Matter	.	Free.		
Walnut	.	Free.		
Or Spirit of Turpentine	.	Free		
not particularly enumerated or described, nor otherwise charged with Duty	.	Free.		
289. Oilseed Cake	.	Free.		
290. Oilcloth, for Table Covers	the Square Yard	0	0	1
291. Olibanum	.	Free.		
292. Olives	.	Free.		
293. Olive Wood	.	Free.		
294. Onions	the Bushel	0	0	1
295. Opium	the lb.	0	1	0
296. Orange Flower Water	.	Free.		
297. Oranges and Lemons	the Bushel	0	0	8
Peel of, viz.:—				
Orange Peel	.	Free.		
Lemon Peel	.	Free.		
298. Orchal	.	Free.		
299. Ore, unenumerated	.	Free.		
300. Orpiment	.	Free.		
301. Orris Root	.	Free.		
302. Orsedew	.	Free.		
303. Painter's Colours, unenumerated, viz.:—				
unmanufactured	.	Free.		
manufactured	.	Free.		
304. Palmetto Thatch	.	Free.		
Manufactures of	.	Free.		
305. Paper, viz.:—				
Brown Paper, made of old Rope or Cordage only without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith	the lb.	0	0	2½
printed, painted, or stained Paper Hangings, or Flock Paper	the Square Yard	0	0	1
Waste Paper, or Paper of any other Sort, not particularly enumerated or described, not otherwise charged with Duty	the lb.	0	0	2½
gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings	the lb.	0	0	2½
306. Parchment	.	Free.		
307. Partridge Wood	.	Free.		
308. Pasteboard	the lb.	0	0	2½
309. Pearls	.	Free.		
310. Pears, raw	the Bushel	0	0	3
dried	the Bushel	0	1	0
311. Pencils, of Slate	.	Free.		
not of Slate	.	Free.		
312. Pens	.	Free.		
313. Pepper of all Sorts	the lb.	0	0	6
And 5 per Cent. thereon.				
314. Percussion Caps	the 1,000	0	0	1
315. Perfumery, not otherwise enumerated	the lb.	0	0	2
316. Perry	.	Free.		

		£	s.	d.
317. Pewter, Manufactures of, not otherwise enumerated,	the cwt.	0	2	0
318. Phosphorus				Free.
319. Pickles, preserved in Vinegar	the Gallon	0	0	1
and Vegetables, preserved in Salt				Free.
320. Pictures				Free.
321. Pimento	the cwt.	0	5	0
322. Pink Root				Free.
323. Pipes of Clay. (See Tobacco Pipes.)				
324. Pitch				Free.
Burgundy				Free.
325. Plantains				Free.
326. Plants, Shrubs, and Trees, alive				Free.
327. Plaster of Paris				Free.
328. Plate, of Gold	the oz. Troy	1	1	0
of Silver, gilt or ungilt	the oz. Troy	0	1	8
battered				Free.
329. Platina and Ore of				Free.
330. Plating, or other Manufactures of Straw, Chip, or other				
Materials to be used in, or proper for making				
or ornamenting Hats or Bonnets, not other-				
wise enumerated or charged with Duty				
	the lb.	0	2	0
Cordonet, Single, and Twist of Straw, or of other				
Materials	the lb.	0	0	6
Willow Squares	the Dozen	0	0	1
331. Plums, commonly called French Plums, and Prunellos				
	the cwt.	0	15	0
dried or preserved (except in Sugar), not other-				
wise described	the cwt.	0	15	0
preserved in Sugar, until 5th July 1854 in-				
clusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
332. Pollard				Free.
333. Pomatum	the lb.	0	0	2
334. Pomegranates				Free.
Peel of				Free.
335. Pork, salted (not Hams)				Free.
fresh				Free.
336. Potatoes				Free.
337. Potato Flour	the cwt.	0	0	4½
338. Pots, viz. :—				
Melting Pots for Goldsmiths				Free.
of Stone				Free.
339. Poultry and Game, alive or dead, including Rabbits				Free.
340. Powder, viz. :—				
Hair Powder	the lb.	0	0	2
perfumed	the lb.	0	0	2
not otherwise enumerated or described, that will				
serve the same Purpose as Starch	the cwt.	0	0	4½
341. Prints and Drawings, viz. :—				
plain or coloured	the lb.	0	0	3
admitted under Treaties of international				
Copyright	the lb.	0	0	1½
342. Prunes	the cwt.	0	7	0

		£	s.	d.
343.	Prussiate of Potash	Free.		
344.	Puddings. (See Sausages.)	Free.		
345.	Purple Wood	Free.		
346.	Quassia the cwt.	0	1	0
347.	Quicksilver	Free.		
348.	Quills, viz., Goose	Free.		
	Swan	Free.		
349.	Quinces the Bushel	0	0	3
350.	Quinine, Sulphate of the oz.	0	0	6
351.	Radix Contrayervæ	Free.		
	Enulæ Campanæ	Free.		
	Eringii	Free.		
	Ipecacuanhæ	Free.		
	Rhatanixæ	Free.		
	Senekæ	Free.		
	Serpentariæ, or Snake Root	Free.		
352.	Rags, viz.:—			
	Rags, old Ropes, or Junk, old Fishing Nets, fit only for making Paper or Pasteboard	Free.		
	Woollen Rags	Free.		
	Pulp of Rags	Free.		
353.	Raisins the cwt.	0	10	0
354.	Rape of Grapes	Free.		
355.	Red Wood or Guinea Wood	Free.		
356.	Rhubarb	Free.		
357.	Rice, viz.:—			
	not rough or in the Husk the cwt.	0	0	4½
	rough and in the Husk the qr.	0	0	9
	Dust for feeding Cattle	Free.		
Upon Exportation from the United Kingdom of any Foreign Rice or Paddy cleaned therein, which shall have paid the Duties payable on the Importation thereof, and having been deposited in some Bonded Warehouse within One Calendar Month from the Date of such Payment, shall have there remained secured until the Time of Exportation, the Exporter making Declaration that such Rice was cleaned from rough Rice or Paddy upon which the Duties had been paid, there shall be allowed and paid for every Hundred-weight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the rough Rice or Paddy from which the same shall have been cleaned.				
358.	Rose Water	Free.		
359.	Rose Wood	Free.		
360.	Rosin	Free.		
	Oil of. (See Oil.)			
361.	Saccharum Saturni	Free.		
362.	Safflower	Free.		
363.	Saffron	Free.		
364.	Sago the cwt.	0	0	4½
365.	Sal, viz.:—			
	Ammoniac	Free.		
	Limounum	Free.		

		£	s.	d.
365.	Sal— <i>continued</i> .			
	Prunellæ			Free.
366.	Salap, or Salop			Free.
367.	Salicine	the oz.	0	0 3
368.	Salt			Free.
369.	Saltpetre			Free.
370.	Sanguis Draconis			Free.
371.	Santa Maria Wood			Free.
372.	Sapan Wood			Free.
373.	Sarsaparilla			Free.
374.	Sassafras			Free.
375.	Satin Wood			Free.
376.	Sauces, not otherwise enumerated	the lb.	0	0 1
377.	Saunders, viz. :—			
	Red			Free.
	White or Yellow			Free.
378.	Sausages or Puddings			Free.
379.	Scaleboards	the cwt.	0	1 0
380.	Scammony			Free.
381.	Seeds, viz. :—			
	Acorns			Free.
	Aniseed			Free.
	Beans, Kidney or French			Free.
	Burnet			Free.
	Canary			Free.
	Caraway	the cwt.	0	5 0
	of and from British Possessions	the cwt.	0	2 6
	Carrot			Free.
	Clover			Free.
	Colchicum			Free.
	Cole			Free.
	Coriander			Free.
	Croton			Free.
	Cummin			Free.
	Dari			Free.
	Fenugreek			Free.
	Flax			Free.
	Forest			Free.
	Garden, unenumerated			Free.
	Grass Seeds of all Sorts			Free.
	Hemp			Free.
	Leek			Free.
	Lentils			Free.
	Lettuce			Free.
	Linseed			Free.
	Lucerne			Free.
	Lupine			Free.
	Maw			Free.
	Millet			Free.
	Mustard			Free.
	Onion			Free.
	Parsley			Free.
	Poppy			Free.
	Quince			Free.
	Rape			Free.
	Sesamum			Free.

		£	s.	d.
381. Seeds— <i>continued</i> .				
	Shrub or Tree	Free.		
	Tares	Free.		
	Trefoil	Free.		
	Worm	Free.		
	All seeds unenumerated commonly used for expressing Oil therefrom	Free.		
	All other Seeds not particularly enumerated or described, nor otherwise charged with Duty	Free.		
382. Semolina	the cwt.	0	0	4½
383. Senna		Free.		
384. Ships, with their Tackle, Apparel, and Furniture (except Sails), broken up or to be broken up:—				
	Foreign for every 100l. Value	5	0	0
	British Ships, or Vessels entitled to be registered as such, not having been built in the United Kingdom	Free.		
385. Shumach		Free.		
386. Silk, viz.:—				
	Knubs or Husks of Silk and Waste Silk	Free.		
	Raw Silk	Free.		
	Thrown Silk, not dyed, Singles	Free.		
	Tram	Free.		
	Organzine or Crape	Free.		
	Dyed, Single, or Tram	Free.		
	Organzine or Crape	Free.		
	Millinery of Silk, or of which the greater Part of the Material is of Silk, viz.:—			
	Turbans or Caps each	0	3	6
	Hats or Bonnets each	0	7	0
	Dresses each	1	10	0
	Corahs, Choppas, Bandannas, and Tussore Clothes, viz.:—			
	in Pieces not exceeding 5¼ Yards in length the Piece	0	0	4
	exceeding 5¼ and not exceeding 6¼ Yards, the Piece	0	0	6
	exceeding 6¼ and not exceeding 7¼ Yards, the Piece	0	0	8
	exceeding 7¼ and not exceeding 8¼ Yards, the Piece	0	0	9
	exceeding 8¼ and not exceeding 9¼ Yards, the Piece	0	0	10
	and for every additional Yard in Length, the Yard	0	0	1½
	China Crape Shawls, Scarfs, and Handkerchiefs, viz.:—			
	plain and Damask the lb.	0	3	0
	embroidered the lb.	0	5	0
	Damask the running Yard	0	0	8
	Pongees, viz.:—			
	in Pieces not exceeding 15 Yards in Length, the Piece	0	2	0
	exceeding 15 Yards and not exceeding 21 Yards in Length the Piece	0	3	0
	exceeding 21 Yards and not exceeding 31 Yards in Length the Piece	0	5	0

386. Silk—*continued*.

	£	s.	d.
Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length . the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length . the Piece	0	3	0
Manufactures of Silk, or of Silk and any other Material not being Articles wholly or in Part made up, not particularly enumerated or otherwise charged with Duty . for every 100℥. Value of and from a British Possession,	15	0	0
for every 100℥. Value	5	0	0
Articles, Manufactures of Silk, or of Silk and any other Material, not particularly enumerated or otherwise charged with Duty. for every 100℥. Value of and from a British Possession,	15	0	0
for every 100℥. Value	5	0	0
Manufactures of Silk, or of Silk mixed with Metal, or any other Material, the produce of Europe, viz. :—			
Silk or Satin, plain, striped, figured, or brocaded, viz. :—			
Broad Stuffs the lb.	0	5	0
Articles thereof, not otherwise enumerated . the lb.	0	6	0
or, and at the Option of the Officers of the Customs . for every 100℥. Value	15	0	0
Gauze or Crape, plain, striped, figured, or brocaded, viz. :—			
Broad Stuffs the lb.	0	9	0
Articles thereof, not otherwise enumerated, . the lb.	0	10	0
or, and at the Option of the Officers of the Customs . for every 100℥. Value	15	0	0
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric, viz. :—			
Broad Stuffs the lb.	0	9	0
Articles thereof, not otherwise enumerated, . the lb.	0	10	0
or, and at the Option of the Officers of the Customs . for every 100℥. Value	15	0	0
Velvet, plain, or figured, viz. :—			
Broad Stuffs the lb.	0	9	0
Articles thereof, not otherwise enumerated, . the lb.	0	10	0
or, and at the Option of the Officers of the Customs . for every 100℥. Value	15	0	0
Broad Stuffs, the Foundation of which is wholly composed of Cotton, or other Materials than Silk . the lb.	0	3	0
Ribbons, plain Silk, of One Colour only . the lb.	0	6	0
Plain Satin, of One Colour only . the lb.	0	8	0
Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than One Colour . the lb.	0	10	0
Gauze or Crape, plain, striped, figured, or brocaded the lb.	0	14	0

386. Silk—*continued*.

£ s. d.

Gauze mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric . the lb. 0 12 0
 Velvet, or Silk embossed with Velvet . the lb. 0 10 0
 the Foundation of which is wholly composed of Cotton, or other Materials than Silk

Fancy Silk, Net, or Tricot . the lb. 0 3 6
 Plain Silk Lace or Net called Tulle . the lb. 0 8 0
 Manufactures of Silk, or of Silk mixed with any other Materials, called Plush . the lb. 0 3 0
 Black Plush, commonly used for making Hats, the lb. 0 1 0
 Parasols and Umbrellas . each 0 1 0
 Damask of Silk and Wool, or of Silk and other Materials for Furniture . the lb. 0 0 10
 Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or charged with Duty for every 100%. Value 15 0 0

387. Silkworm Gut . Free.

388. Silver Ore, or Ore of which the greater Part in Value is Silver . Free.

389. Skins, Furs, Pelts, and Tails, viz. :—

Badger, undressed . Free.
 Bear „ . Free.
 Beaver „ . Free.
 Cat „ . Free.
 Chinchilla „ . Free.
 Coney „ . Free.
 Deer „ . Free.
 Indian, half-dressed . Free.
 Deer, Indian, tanned, tawed, or in any way dressed
 Dog, in the Hair, not tanned, tawed, or in any way dressed . Free.
 Dog Fish, undressed . Free.
 Elk „ . Free.
 Ermine „ . Free.
 dressed . Free.
 Fisher, undressed . Free.
 Fitch „ . Free.
 Fox „ . Free.
 Tails „ . Free.
 Goat, raw or undressed . Free.
 tanned, tawed, or in any way dressed . Free.
 Goose, undressed . Free.
 Hare „ . Free.
 Husse „ . Free.
 Kangaroo „ . Free.
 Kid, in the Hair, undressed . Free.
 dressed . Free.
 and dyed or coloured . Free.
 Kolinski, undressed . Free.
 Lamb, undressed in the Wool . Free.
 tanned or tawed . Free.
 and dyed or coloured . Free.
 dressed in oil . Free.

389. Skins— <i>continued</i> .		£	s.	d.
Leopard, undressed .				Free.
Lion " .				Free.
Lynx " .				Free.
Marten " .				Free.
Marten Tails " .				Free.
Minx " .				Free.
dressed .				Free.
Mole, undressed .				Free.
Musquash " .				Free.
Nutria " .				Free.
Otter " .				Free.
Ounce " .				Free.
Panther " .				Free.
Pelts " .				Free.
tanned, tawed, or in any way dressed .				Free.
Racoon, undressed .				Free.
Sable " .				Free.
Tails or Tips, undressed .				Free.
Seal, in the Hair, not tanned, tawed, or in any way dressed .				Free.
Sheep, undressed in the Wool .				Free.
tanned or tawed .				Free.
dressed in Oil .				Free.
Squirrel or Calabar, undressed .				Free.
tawed .				Free.
Tails, undressed .				Free.
Swan, undressed .				Free.
Tiger 				Free.
Weasel 				Free.
Wolf 				Free.
tawed .				Free.
Wolverings, undressed .				Free.
Skins and Furs, or Pieces of Skins and Furs unenumerated, viz. :—				
raw or undressed .				Free.
tanned, tawed, curried, or in any way dressed .				Free.
Articles manufactured of Skins and Furs .				Free.
390. Smalts				Free.
391. Soap, viz. :—				
hard	the cwt.	0	0	8
soft	the cwt.	0	0	8
Naples	the cwt.	0	0	8
scented or fancy Soap	the lb.	0	0	2
392. Soy	the Gallon	0	0	6
393. Spa Ware	the Cubic Foot	0	0	6
394. Specimens of Minerals or Fossils .				Free.
illustrative of Natural History .				Free.
395. Speckled Wood				Free.
396. Spectacles				Free.
397. Spelter or Zinc, crude in Cakes .				Free.
rolled, but not otherwise manufactured .				Free.
Oxide and White of				Free.
Rods for Bolts				Free.
Manufactures of, not otherwise enumerated, the cwt.		0	2	0
398. Spermaceti				Free.

399. Spirits or Strong Waters, of all Sorts, viz. :—	£	s.	d.
For every Gallon of such Spirits or Strong Waters of any Strength, not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz. :—			
Spirits, not being Spirits or Strong Waters, the Produce of any British Possessions in America, or the Island of Mauritius, or any British Possessions within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Articles, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, viz. :—			
Brandy the Gallon	0	15	0
Geneva the Gallon	0	15	0
Other than Brandy or Geneva the Gallon	0	15	0
Spirits or Strong Waters, the Produce of any British Possession in America, or the Island of Mauritius, not being sweetened Spirits, or Spirits so mixed as aforesaid, viz. :—			
Rum—			
If imported into England . . . the Gallon	0	8	2
If imported into Scotland . . . the Gallon	0	5	0
If imported into Ireland . . . the Gallon	0	3	8
Spirits, other than Rum—			
If imported into England . . . the Gallon	0	8	2
If imported into Scotland . . . the Gallon	0	5	0
If imported into Ireland . . . the Gallon	0	3	8
Rum, the Produce of any British Possessions within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. cap. 8. have or shall have been fulfilled, not being sweetened Spirits, or Spirits so mixed as aforesaid :—			
If imported into England . . . the Gallon	0	8	2
If imported into Scotland . . . the Gallon	0	5	0
If imported into Ireland . . . the Gallon	0	3	8
Rum Shrub, however Sweetened, the Produce of and imported from such Possessions, qualified as aforesaid, or of and from any British Possession in America, or the Island of Mauritius :—			
If imported into England . . . the Gallon	0	8	2
If imported into Scotland . . . the Gallon	0	5	0
If imported into Ireland . . . the Gallon	0	3	8
Spirits or Strong Waters (except Rum), the Produce of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, not being sweetened Spirits, or Spirits so mixed as aforesaid . . . the Gallon	0	15	0
Spirits, Cordials, or Strong Waters, not being the Produce of any British Possession in America, or the Island of Mauritius, nor of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, being			

		£	s.	d.
399.	Spirits— <i>continued</i> .			
	sweetened or mixed as aforesaid ; and perfumed			
	Spirits, to be used as perfumery only			
	the Gallon	1	0	0
	Strong Waters, except Rum Shrub, being the Pro-			
	duce of any British Possessions in America, or			
	the Island of Mauritius, or of any British Pos-			
	sessions qualified as aforesaid, sweetened or mixed			
	with any Article as aforesaid . the Gallon	1	0	0
	Cordials and Liqueurs, except Rum Shrub, being			
	the Produce of any British Possession in America,			
	or the Island of Mauritius, or of any British			
	Possession within the Limits of the East India			
	Company's Charter, qualified as aforesaid, being			
	sweetened or mixed as aforesaid the Gallon	0	9	0
	Spirits or Strong Waters imported into the United King-			
	dom mixed with any Ingredient, and although thereby			
	coming under some other Denomination, except Varnish,			
	shall nevertheless be deemed to be Spirits or Strong			
	Waters, and be subject to duty as such.			
400.	Sponge			Free.
401.	Squills, dried			Free.
	not dried			Free.
402.	Starch the cwt.	0	0	4½
	Gum of, torrified or calcined . . . the cwt.	0	0	4½
403.	Stavesacre			Free.
404.	Stearine, till the 5th April 1858, unless the Duty upon			
	Tallow shall be sooner repealed, in which case the			
	Duty shall cease the cwt.	0	3	6
	after the 5th April 1858			Free.
405.	Steel, unwrought			Free.
	manufactured or wrought. (See Iron.)			
	Scrap			Free.
406.	Stones, viz. :—			
	Stone, in Lumps, not in any Manner hewn			Free.
	Slate, in rough Blocks or Slabs . . .			Free.
	hewn			Free.
	Marble, in rough Blocks or Slabs . . .			Free.
	sawn into Slabs or otherwise manu-			
	factured			Free.
	Limestone			Free.
	Asphalt Rock			Free.
	Flint			Free.
	Felspar and Stones, for Potters use . . .			Free.
	Pebble			Free.
	For Lithography			Free.
	In Blocks, shaped or rough scalped . . .			Free.
	Mill Stones, rough			Free.
	shaped or hewn			Free.
	Burr Stones, rough			Free.
	shaped or hewn			Free.
	Quern Stones, rough			Free.
	shaped or hewn			Free.
	Dog Stones, rough			Free.
	shaped or hewn			Free.
407.	Straw or Grass for plaiting			Free.

408. Succades, including all Fruits and Vegetables, preserved in Sugar, not otherwise charged with Duty, until the 5th July 1854 inclusive . . . the lb.	£	s.	d.
from and after 5th July 1854 . . . the lb.	0	0	2
	0	0	1½

409. Sugar, viz. :—

Sugar or Molasses the Growth and Produce of any British Possession into which the Importation of Foreign Sugar is prohibited, being imported from such British Possession, viz. :—

Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto . . . the cwt.	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined . . . the cwt.	0	11	8
Muscovado, or any other Sugar not being equal in Quality to White Clayed . . . the cwt.	0	10	0
Molasses . . . the cwt.	0	3	9

Sugar or Molasses the Growth and Produce of any other British Possession, being imported from such British Possession, viz. :—

Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the 5th July 1854 inclusive . . . the cwt.	0	15	4
from and after the 5th July 1854 the cwt.	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined, until the 5th July 1854 inclusive . . . the cwt.	0	12	10
from and after the 5th July 1854 the cwt.	0	11	8
Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, and not equal to White Clayed, until the 5th July 1854 inclusive . . . the cwt.	0	11	10
from and after the 5th July 1854 the cwt.	0	10	0
Muscovado, or any other Sugar not being equal in Quality to Brown Clayed Sugar, until the 5th July 1854 inclusive the cwt.	0	11	0
from and after the 5th July 1854 the cwt.	0	10	0
Molasses, until the 5th July 1854 inclusive . . . the cwt.	0	4	2
from and after the 5th July 1854 the cwt.	0	3	9

Sugar or Molasses the Growth and Produce of any Foreign Country, and all Sugar or Molasses not otherwise charged with Duty, viz. :—

Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the 5th July 1854 inclusive . . . the cwt.	0	17	4
from and after the 5th July 1854 the cwt.	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined, until the 5th July 1854 inclusive . . . the cwt.	0	14	0
from and after the 5th July 1854 the cwt.	0	11	8

409. Sugar—*continued*.

£ s. d.

Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, and not equal to White Clayed, until the 5th July 1854 inclusive	the cwt.	0	13	0
from and after the 5th July 1854 the cwt.		0	10	0
Muscovado, or any other Sugar, not being equal in quality to Brown Clayed Sugar, until the 5th July 1854 inclusive the cwt.		0	12	0
from and after the 5th July 1854 the cwt.		0	10	0
Molasses, until the 5th July 1854 inclusive				
the cwt.		0	4	6
from and after the 5th July 1854 the cwt.		0	3	9

The following Duties shall be drawn back upon Removal to the Isle of Man on such Conditions as the Commissioners of Her Majesty's Treasury may direct, or upon Exportation to Foreign Parts, of the several Descriptions of refined Sugar herein-after mentioned, made in the United Kingdom from Sugar on which the Duties of Importation shall have been paid:—

Upon refined Sugar, in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed or broken, or Sugar Candy	for every cwt.	0	12	6
Upon Bastard or refined Sugar broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded, crushed, or broken	for every cwt.	0	10	0

410. Sulphur Impressions		Free.
411. Sweet Wood		Free.
412. Talc		Free.
413. Tallow	the cwt.	0 1 6
of and from British Possessions	the cwt.	0 0 1
Vegetable		Free.
414. Tamarinds		Free.
415. Tapioca	the cwt.	0 0 4½
416. Tar		Free.
Barbadoes		Free.
417. Tares. (See Seeds.)		
418. Tarras		Free.
419. Tartaric Acid		Free.
420. Tea,—until 5th April 1854 inclusive	the lb.	0 1 10
from and after 5th April 1854 until 5th April 1855 inclusive	the lb.	0 1 6
from and after 5th April 1855 until 5th April 1856 inclusive	the lb.	0 1 3
from and after 5th April 1856	the lb.	0 1 0
Without any Allowance for Draft.		
421. Teasles		Free.
422. Teeth, viz., Elephants		Free.
Sea Cow, Sea Horse, or Sea Morse		Free.
423. Telescopes		Free.
424. Terra, viz., Japonica		Free.

424. Terra— <i>continued</i> .		£	s.	d.
	Sienna			Free.
	Verde			Free.
	Umbra			Free.
425. Thread, not otherwise enumerated or described				Free.
426. Tiles				Free.
427. Tin, Ore and Regulus of				Free.
	in Blocks, Ingots, Bars, or Slabs			Free.
	Foil	the cwt.	0 10	0
	Manufactures of, not otherwise enumerated	the cwt.	0 10	0
428. Tincal, unrefined. (See Borax.)				
429. Tobacco, the following Duties, with 5 per Cent. thereon, viz.:—unmanufactured, stemmed or stripped				
		the lb.	0 3	0
	unstemmed	the lb.	0 3	0
	manufactured, or Segars	the lb.	0 9	0
	Snuff	the lb.	0 6	0
	Stalks, and Flour of			prohibited.
	manufactured in the United Kingdom, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases, containing not less than One Hundred Pounds net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores	the lb.	0 2	7½
430. Tobacco Pipes of Clay				Free.
431. Tongues				Free.
432. Torsal				Free.
433. Tortoise or Turtle Shell, unmanufactured				Free.
434. Toys, viz.:—				
	Marbles	the cwt.	0 1	0
	All other Toys	the Cubic Foot	0 0	4
435. Truffles				Free.
436. Tulip Wood				Free.
437. Turmeric				Free.
438. Turnery, not otherwise described	the Cubic Foot	0 0	4	
439. Turpentine				Free.
	of Venice, Scio, or Cyprus			Free.
	Oil, or Spirit of. (See Oil.)			
440. Twine				Free.
441. Ultra Marine				Free.
442. Valonia				Free.
443. Vanelloes				Free.
444. Varnish, containing any Quantity of Alcohol or Spirit				
	the Gallon	0 12	0	
	not otherwise described			Free.
445. Vases, viz., ancient, not of Stone or Marble				Free.
446. Vegetables, all, not otherwise enumerated or described				Free.
	preserved in Salt			Free.
447. Vellum				Free.
448. Veneers	the cwt.	0 1	0	
449. Verdigris				Free.
450. Verjuice				Free.
451. Vermicelli and Maccaroni	the cwt.	0 1	0	
452. Vermilion				Free.
453. Vinegar	the Gallon	0 0	3	
354. Wafers				Free.
455. Walnut Wood				Free.

	£	s.	d.
456. Washing Balls the lb.	0	0	2
457. Watches, of Gold, Silver, or any other Metal, exceeding the Value of 10 <i>l.</i> each each	1	0	0
Other Watches, viz. :—			
Gold, open Faces each	0	5	0
Hunters each	0	7	6
Repeaters each	0	15	0
Silver, or any other Metal, not Gold :—			
Open Faces each	0	2	6
Hunters each	0	3	6
Repeaters each	0	8	0
458. Water, Cologne, the Flask Thirty of such Flasks containing not more than One Gallon) each	0	0	5
When not in Flasks (as perfumed Spirit) the Gallon	1	0	0
Mineral			Free.
459. Wax, viz. :—Bleached			Free.
Unbleached			Free.
Myrtle			Free.
Sealing			Free.
Vegetable			Free.
460. Weld			Free.
461. Whale Fins			Free.
462. Whipcord			Free.
463. Wine, of and from Foreign Countries, and 5 per Cent. thereon, viz. :—			
Red the Gallon	0	5	6
White the Gallon	0	5	6
Lees of such Wine the Gallon	0	5	6
The Growth and Produce of any British Possession, and imported direct from thence, and 5 per Cent. thereon :—			
Red the Gallon	0	2	9
White the Gallon	0	2	9
Lees of such Wine the Gallon	0	2	9
The full Duties on Wine may be drawn back upon Re-exportation or Shipment as Stores, but no Drawback allowed on Lees of Wine.			
464. Wire, viz. :—Gilt or Plated			Free.
Silver			Free.
Copper or Brass. (See Copper and Brass respectively.)			
465. Woad			Free.
466. Wood and Timber, the following Duties, with 5 per Cent thereon, on all Wood and Timber the Produce of British Possessions, viz. :—			
Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty, the Load of 50 Cubic Feet	0	7	6
Of and from British Possessions, the Load of 50 Cubic Feet	0	1	0
Deals, Battens, Boards, or other Timber or Wood sawn or split, and not otherwise charged with Duty, the Load of 50 Cubic Feet	0	10	0

466. Wood and Timber—*continued.*

£ s. d.

Of and from British Possessions,

the Load of 50 Cubic Feet 0 2 0

Or, in lieu of ascertaining the cubical Contents in Pile, the Importer may have the Option, at the Time of passing the First Entry, in respect of Planks, Deals, Deal Ends, Battens, and Batten Ends, not the Produce of the British Possessions, of entering the same by Tale upon a Computation of their Cubic Content, calculated according to the under-mentioned Scale, specifying in such Entry the Number and Dimensions of the several Pieces included therein; and the Duties imposed thereon by this Act shall be ascertained, computed and charged upon the Planks, Deals, Deal Ends, Battens, and Batten Ends, included in such Entry on the Cubical Contents thereof, computed in conformity with the said Scale.

	PLANKS.	DEALS.	BATTENS.		
	3 X 11 Inch and not above 3½ X 11½ Inch.	3 X 9 Inch and not above 3½ X 9½ Inch.	3 X 7 Inch and not above 3½ X 7½ Inch.	2½ X 7 Inch and not above 2¾ X 7½ Inch.	2½ X 6½ Inch and not above 2¾ X 6¾ Inch.
	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.
Not above 4 Feet in Length, the 120	115	95	73	61	57
Above 4 Feet and not above 5 Feet in Length, . the 120 .	144	118	91	77	71
Above 5 Feet and not above 6 Feet in Length, . the 120 .	173	142	110	92	86
Above 6 Feet and not above 7 Feet in Length, . the 120 .	202	165	128	107	100
Above 7 Feet and not above 8 Feet in Length, . the 120 .	231	189	146	123	114
Above 8 Feet and not above 9 Feet in Length, . the 120 .	260	213	165	138	128
Above 9 Feet and not above 10 Feet in Length, . the 120 .	288	236	183	153	143
Above 10 Feet and not above 11 Feet in Length, . the 120 .	317	260	201	169	157
Above 11 Feet and not above 12 Feet in Length, . the 120 .	346	284	220	184	171
Above 12 Feet and not above 13 Feet in Length, . the 120 .	375	307	238	200	185
Above 13 Feet and not above 14 Feet in Length, . the 120 .	404	331	256	215	200
Above 14 Feet and not above 15 Feet in Length, . the 120 .	433	354	274	230	214
Above 15 Feet and not above 16 Feet in Length, . the 120 .	462	378	293	246	228
Above 16 Feet and not above 17 Feet in Length, . the 120 .	490	402	311	261	242
Above 17 Feet and not above 18 Feet in Length, . the 120 .	519	425	329	276	257
Above 18 Feet and not above 19 Feet in Length, . the 120 .	548	449	348	292	271
Above 19 Feet and not above 20 Feet in Length, . the 120 .	577	473	366	307	285
Above 20 Feet and not above 21 Feet in Length, . the 120 .	606	496	384	322	300

466. Wood and Timber— <i>continued</i>				£	s.	d.
Staves, exceeding 72 Inches in Length, 7 Inches in Breadth, or $3\frac{1}{4}$ Inches in Thickness, the Load of 50 Cubic Feet				0	9	0
Of and from British Possessions, the Load of 50 Cubic Feet .				0	2	0
Staves, not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor $3\frac{1}{4}$ in Thickness				Free.		
Birch and Fir, hewn, not exceeding 3 Feet in Length, nor exceeding 8 Inches square, imported for the sole Purpose of making Herring Barrels for the Use of the Fisheries				Free.		
Firewood the Fathom of 216 Cubic Feet				0	6	0
Of and from British Possessions the Fathom of 216 Cubic Feet				Free.		
Handspikes, not exceeding 7 Feet in Length the 120				0	6	0
Of and from British Possessions the 120				0	0	6
Exceeding 7 Feet in Length the 120				0	12	0
Of and from British Possessions the 120				0	1	0
Hoops				Free.		
Knees, under 5 Inches square the 120				0	3	0
Of and from British Possessions the 120				0	0	3
5 and under 8 Inches square the 120				0	12	0
Of and from British Possessions the 120				0	1	0
Lathwood the Fathom of 216 Cubic Feet				0	12	0
Of and from British Possessions the Fathom of 216 Cubic Feet				0	1	0
Oars the 120				2	5	0
Of and from British Possessions the 120				0	3	9
Spars or Poles, under 22 Feet in Length and under 4 Inches in Diameter the 120				0	6	0
Of and from British Possessions the 120				0	0	6
22 Feet in Length and upwards, and under 4 Inches in Diameter the 120				0	12	0
Of and from British Possessions the 120				0	1	0
Of all Lengths, 4 and under 6 Inches in Diameter the 120				1	4	0
Of and from British Possessions the 120				0	2	0
Spokes for Wheels, not exceeding 2 Feet in Length, the 1,000				1	4	0
Of and from British Possessions the 1,000				0	1	0
Exceeding 2 Feet in Length the 1,000				2	8	0
Of and from British Possessions the 1,000				0	2	0
Teak				Free.		
Waste Wood, viz., Billet Wood, or Brushwood used for the Purpose of Stowage				Free.		
For Shipbuilding, viz.:—						
Stringy Bark, Red and Blue Gum, Green Hart, Mora and Locust Woods, and Woods formerly admitted at the same Duty as Teak				Free.		
Treenails of Stringy Bark, Red and Blue Gum, and Locust Woods, and all Treenails of and from British Possessions				Free.		
Shovel Hilt				Free.		
Planed or otherwise dressed or prepared for Use, and not particularly enumerated or otherwise charged with Duty per Cubic Foot				0	0	2

466. Wood and timber— <i>continued</i> .	£	s.	d.
And further . . . for every 100 <i>l</i> . Value	10	0	0
Of and from British Possessions			
for every 100 <i>l</i> . Value	5	0	0
467. Wool, viz., Alpaca and the Llama Tribe . . .			Free.
Beaver			Free.
Cut and Combed			Free.
Coney Wool			Free.
Cotton Wool and Waste of Cotton Wool . . .			Free.
Goats Wool or Hair			Free.
Hares Wool			Free.
Sheep or Lambs Wool			Free.
468. Woollens, viz. :—Manufactures of Wool (not being Goats Wool), or of Wool mixed with Cotton, not particularly enumerated, and not otherwise charged with Duty			Free.
Articles or Manufactures of Wool (not being Goats Wool), or of Wool mixed with Cotton, viz. :—			
Carpets and Rugs the Square Yard	0	0	6
Shawls, Scarfs, and Handkerchiefs, plain			
the lb.	0	0	4
printed . . . the lb.	0	0	8
Gloves the Dozen Pairs	0	0	3
Wholly or in part made up, not otherwise charged with Duty, . . for every 100 <i>l</i> . Value	5	0	0
469. Yarn, Cable Yarn			Free.
Camel or Mohair			Free.
Raw Linen			Free.
of Silk and Worsted, spun together and not dyed .			Free.
Worsted Yarn, fit and proper for Embroidery, the lb.	0	0	6
Raw, not dyed, or only partially dyed, and not being fit or proper for embroidering or other fancy Pur- poses			Free.
470. Yeast, dried			Free.
471. Zaffre			Free.
472. Zebra Wood			Free.
473. Goods, being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be im- ported into or used in Great Britain or Ireland			
for every 100 <i>l</i> . Value	10	0	0
474. Goods, not being either in part or wholly manufac- tured, not enumerated or described nor otherwise charged with Duty, and not prohibited to be im- ported into or used in Great Britain or Ireland . . .			Free.

TABLE B.

DUTIES APPLICABLE TO THE ISLE OF MAN.

	£	s.	d.
1. Coffee, the Import Duties in Great Britain or Ireland not having been there paid thereon . . . the lb.	0	0	2
2. Corn, viz., Wheat, Barley, Bear, or Bigg, Oats, Rye, Peas, Beans, Buckwheat, Maize, or Indian Corn . . . the Quarter	0	1	0
Wheat Meal and Flour, Barley Meal, Oat Meal, Rye Meal, and Flour Pea Meal, Bean Meal, Buckwheat Meal, and Maize or Indian Corn Meal . . . the cwt.	0	0	4½
3. Hemp			Free.
4. Hops, from Great Britain or Ireland			Free.
5. Iron			Free.
6. Spirits, viz. :—			
Brandy, Geneva, and all Foreign Spirits, not being Liqueurs, Cordials, or Perfumed Spirits . . . the Gallon	0	6	0
Rum and Rum Shrub, of the British Possessions . . . the Gallon	0	3	8
British or Irish Spirits exported from a Duty-free Warehouse under Bond in the United Kingdom . . . the Gallon	0	3	0
Such Spirits not Exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon			
7. Eau de Cologne, per Flask, (30 not containing more than 1 Gallon) or the Gallon	0	0	4
8. Liqueurs, Cordials, and perfumed Spirits . . . the Gallon	0	10	0
9. Sugar, viz. :—			
Muscovado the cwt.	0	1	0
Sugar Candy, White or Brown, refined Sugar, or Sugar rendered by any Process equal to refined, Foreign or British . . . the cwt.	0	8	0
From and after the 5th of July 1854 . . . the cwt.	0	3	0
10. Tea the lb.	0	1	0
From and after the 5th of July 1854 . . . the lb.	0	0	6
11. Tobacco, viz. :—			
Unmanufactured the lb.	0	1	6
Manufactured the lb.	0	4	9
Cigars the lb.	0	4	9
12. Wine the Tun of 252 Gallons	12	0	0
13. Wood, all Sorts			Free.

	£	s.	d.
14. Goods, Wares, and Merchandise brought from Great Britain or Ireland and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not herein-before enumerated or charged with Duty			Free.
15. Goods, Wares, and Merchandise, the Growth, Produce, or Manufacture of and brought from Great Britain or Ireland and not herein-before charged with Duty			Free.
16. Goods, Wares, and Merchandise, not the Growth, Produce, or Manufacture of Great Britain or Ireland but brought from thence, and having there been entered for Consumption, and the Import Duties having been there paid thereon			Free.
17. Goods, Wares, and Merchandise imported or brought from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not herein-before charged with Duty, or declared to be free of Duty, for every 100 <i>l.</i> of the Value thereof	15	0	0

CAP. CVII.

An Act to amend and consolidate the Laws relating to the Customs of the United Kingdom and of the Isle of Man, and certain Laws relating to Trade and Navigation and the British Possessions.—[20th August 1853.]

CAP. CVIII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England.—[20th August 1853.]

CAP. CIX.

An Act to continue an Act to amend the Laws relating to Loan Societies.—[20th August 1853.] (England.)

CAP. CX.

CAP. CX.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-three, and to appropriate the Supplies granted in this Session of Parliament.—[20th August 1853.]

CAP. CXI.

An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.—[20th August 1853.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, intituled “An Act to appoint Commissioners for carrying into Execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, and continuing to His Majesty certain Duties on Personal Estates, Offices, and Pensions in England:” And whereas another Act was passed in the Ninth Year of the Reign of His said Majesty, intituled “An Act for rectifying Mistakes in the Names of the Land Tax Commissioners, and for appointing additional Commissioners, and indemnifying such Persons as have acted without due Authority in the Execution of the Acts therein recited:” And whereas another Act was passed in the Second and Third Years of the Reign of His late Majesty King William the Fourth, intituled “An Act for appointing additional Commissioners to put in execution the Acts for granting an Aid to His Majesty by a Land Tax, and continuing the Duties on Personal Estates, Offices, and Pensions:” And whereas another Act was passed in the Third and Fourth Years of the Reign of His said Majesty, intituled “An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices, and Pensions:” And whereas another Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty intituled “An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates,

7. & 8 G. 4
c. 75.

9 G. 4. c.
38.

2 & 3 W.
4. c. 127.

3 & 4 W.
4. c. 95.

6 & 7 W.
4. c. 80.

"Estates, Offices, and Pensions:" And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act to appoint additional Commissioners for executing the Acts, granting a Land Tax, and Duties on Personal Estates, Offices, and Pensions:" And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes:" And whereas another Act was passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled "An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes:" and whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to Her Majesty by a Land Tax in Great Britain and several other Acts for continuing or granting to Her Majesty Rates and Taxes: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

1 & 2 Vict.
c. 57.7 & 8 Vict.
c. 79.11 & 12
Vict. c. 62.

I. That the several and respective Persons herein-after named shall and may and are hereby empowered and authorized (being duly qualified) to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Shires, Stewartries, and Places of Great Britain herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth; (that is to say,)

Appoint-
ment of
additional
Commis-
sioners.

(Here follows a List of Commissioners for certain Counties, Cities, and other Districts in England and Wales.)

For the Shire of Edinburgh.

The Honourable William Henry Walter Montagu Douglas Scott commonly called the Earl of Dalkeith, the Honourable David Stuart Erskine commonly called Lord Cardross, Sir James Gardiner Baird Saughton Hall Baronet, Sir David Baird Newbyth Baronet, Sir Thomas Gibson Carmichael Hailes Baronet, Sir John Warrender Bruntfield Baronet, David Ainslie Costerton, William Bonar Warriston, James Caird

Caird House of Muir, James Clerk Maxwell *younger* Middlebie, James Clerk Rattray *Bonnington and Craighall*, Rattray, Charles Cowan *Laganhouse*, George Cranstoun Trotter Cranstoun *Dewar*, John Forrest *younger* Comiston, Charles Halkett Craigie Inglis *Cramond*, John Inglis *Redhall*, Charles Lawson *Borthwickhall*, Alexander Learmonth *the younger* Dean, Peter Mac Lagan *Pumphurston* Peter Mac Lagan *younger* Pumphurston, George Fergusson Maitland *Hermund*, Andrew Melrose *Glenense*, George Mitchell Innes *Ingliston*, John Murray *younger* Craigmel, William Scott Moneriet *younger* Fossoyay, John Marshall Mowbray *Hartwood*, Henry Raeburn *Howden*, Henry Raeburn *younger* Howden, Charles Frederick James Everard William George Kocheid *Inverleith*, Archibald Trotter *Bush*, Robert Archibald Trotter *younger* Bush, Coutts Trotter *Dreghorn*, James Stuart Tytler *the younger* Woodhouselee, James Walker *younger* Dalry, William Wilkie *Bonnington*, John Thomson Gordon *Sheriff Depute for the County of Edinburgh*, Andrew Jameson *Sheriff Substitute for the County of Edinburgh*, Patrick Aukley *Sheriff Substitute for the County of Edinburgh*.

For the Shire of Haddington.

Alexander Kinloch *younger* Gilmerton, James Grant Suttie *younger* Prestongrange, Arthur Trevelyan *Tynholm*, Gideon William Bell *East Fortoun*.

For the Shire of Roxburgh.

The Right Honourable William Henry Walter Scott *commonly called Earl of Dalkeith*, James Hope Scott *Abbotsford*, James James Samuiston, Bruce Langlee, John Nisbett Murray Whitmoor, Cotesworth *Cowdenknowes*, William Ediot Lockhart *younger* Borthwickbrae, George William Hutton Riddell *Muselee*, Robert Turnbull *younger* Merrylaw, John Boyd *Maxpoffle*, Boyd *younger* Maxpoffle, Adam Thomson *Templchall*, Thomson *younger*, Charles St Clair *younger* Stonedge, George Home *Monro Binning Home, Softlaw*, Turnbull *younger* Galalaw, Somerville *Charlesfield*, Robert Scott *younger* Raeburn, Lees *Fens*, Charles Currie *younger* Lenthill, Sprott *younger* Riddell, Thomas Scott, *Graden*, Antrobus *younger* Rutherford, *the Honourable* Stuart Erskine *commonly called Lord Cardross*, George Baillie *younger* Mallerstain, William Watson *younger* Burnhead, Charles Rae *Halterburnhead*, William Scott Chisholme, Chisholme, Scott Chisholme *the younger*, Brunton *Ladhope*, Charles Scott Plumber, Wool *Middleshead*, Thomson,

Thomson, Kainflatt, John Mair Grainger *younger* Madders-
land, Thomas Monro Monro *Benrigg*, Brunton
Hiltonhill, Alexander Pringle *younger* Whytbank.

For the County of Selkirk.

William Brown *Elmburn, the Provost of the Royal Burgh of Selkirk for the Time being, the Two Baillies of the Royal Burgh of Selkirk for the Time being*, Henry Scott *Overkirkhope*, Robert Keith Pringle *Broadmeadows*, Alexander Pringle *younger Broadmeadows*, John Scott *younger Overkirkhope*.

For the Shire of Peebles.

Sir Thomas Gibson Carmichael *Baronet Skirling*, William Chambers *Glenormiston, the Earl of Dalkeith Dalkeith Palace*, William Goldie *Bromlee*, Richard Gordon *Badinsgill*, Alexander Horsburgh *Pirn*, John Miller *Leithenhopes*, Alexander M'Neal *Bordlands*, John Edulphus Swinton, *Swinton Bank*, Charles Tennant, *the Glen*, Thomas Welsh *younger Earlshaugh*.

For the Shire of Lanark.

David Bell *Blackhall*, John Dixon *younger Hartree*, Colonel Thomas Monteath Douglas *Stonebyres*, John Findlay *younger Easterhill*, David Forrest *younger Treesbank*, John Gebbie *younger Hallburn*, James Hamilton *Longrigg*, William Harvie *Brownlee*, Henry Houldsworth *Coultness*, Henry Houldsworth *younger Coltness*, Lewis Potter *Udslone and Dykhead*, John Campbell Renton *Synnington*, George Robertson *Auchingray*, David Robertson Souter *Lawhead*, John Martin Roughan *Haughead*, Alexander S Sprot *younger Garnkirk*, John Tennant *Crofthead*, James Thomson *Birkenhead*, James Thomson *Kilbank*, William Allan Woodrop *Elsrighill*, Thomas Tenent *younger Crofthead*.

For the Shire of Dumfries.

Airston, David Corse Hunter, *Broomrig*; Armstrong, George, *Castlemilk*; Armstrong, James, *Dumesslin*; Arundell, William Francis Hunter, *Barjarg*; Baird, Douglas, *Closeburn*; Barbor, John, *Terarran*; Beattie, James, *Davington*; Bell, George Graham, *Castlecoer*; Bell, Thomas Johnstone, *Torbeckhill*; Bell, William, *Sinclairburn*; Bogie, Agnew Black, *Dornocktown*; Brodie, Charles, *Bush*; Buchanan, *Reverend Doctor James, Hetlandhill*; Campbell, Thomas, *Killyleoch*; Carlyle, Thomas, Johnstone, *Waterbeck*; Carlyle, Thomas, *Craigenputtock*;

Craigcnputtock; Carruthers, David Alexander, *Warmanbie*; Carruthers, William Francis, *Dormont*; Carruthers, John Hetherton, *Denbie*; Carruthers, John, *Breckonhall*; Carruthers, William, *Stenrieshill*; Carruthers, George, *younger*, *Stenrieshill*; Clark, John Gilchrist, *Spedlock*; Clark, Sir George, *Pennycuick*, Baronet; Collow, Gilbert, *Auchenchain*; Connell, James, *Conherth*; Copland, Reverend John, *Minnygap*; Corrie, Thomas, *Steilston*; Corrie, Hugh, *younger*, *Steilston*; Cruickshanks, Richard Lyon, *Broomhall*; Currie, Samuel, *Craigshields*; Dalkeith, *the Right Honourable* William Henry Walter *Earl of*; Dalziell, David B *Glenue*; Dickson, John Edgar, *Elshieshields*; Dickson, Lieutenant-Colonel John Pasley, *Mount Annan*; Dobie, William, *Kirkbank*; Douglas, Lord William Robert Keith, *Upper Kirkton*; Douglas, Robert Johnston, *Lockerbie*; Drumlanrig, *the Right Honourable* Archibald William Douglas, *Viscount*; Edgar, William, *Kirkland*; Elliot, William, Scott, *Arkleton*; Ewart, Robert, *Sailfoot*; Fergusson, Robert Cutler, *Craigdarrock*; Fergusson, Robert Don Gillon, *Isle*; Forbes, William, *Callendar*; Fraser, William, *Glenmaid*; Gladstone, Thomas Stewart, *Capensich*; Graham, Colonel William, *Mossknow*; Graham, Nicol Graham, *Jarbruck*; Graham, George, *Shaw*; Graham, John, *younger*, *Shaw*; Graham, William Richard, *Blauewood*; Grierson, Sir Alexander William Lag, Baronet; Grierson, James, *Dalgornar*; Gordon, William, *Castlehill*; Hairstens, James, *Acreheads*; Halbert, John Potts, *Rosehall*; Heron, James, *Duncow*; Hewatson, John, *Grennan*; Hewatson, Robert, *Sayre*; Hunter, Reverend David, *Killylung*; Hunter, John, *Burnhead*; Irving, Reverend John, *Bonslaw*; Irving, John, *Middlebietown*; Jackson, John, *Amisfield*; Jardine, Sir William, *Applegarth*, Baronet; Jardine, Alexander, *younger*, *Applegarth*; Jardine, David, *Balgray*; Jardine, Andrew, *Laurick Castle*; Jardine, William Murray, *Grantown*; Johnstone, John James Hope, *Annandale*; Johnstone, Captain William Hope, *Dunreggan*; Johnstone, Honourable Henry Butler, *Corthead*; Johnstone, Colonel Thomas Henry, *Carusalloch*; Johnstone, Admiral Charles James, *Cowhill*; Johnstone, George, *younger*, *Cowhill*; Johnstone, Michael, *Bodesbeck*; Johnstone, James, *younger*, *Bodesbeck*; Johnstone, Peter, *Greskine*; Johnstone, Andrew, *Halleaths*; Johnstone, James, *Grange*; Johnstone, Adam, *Rosebank*; Kennedy, John, *Kirkland*; Kennedy, Robert, *Dalmakerran*; Lamb, Charles J Cooms; Laidlaw, Robert, *Johnston*; Lawrie, John Minet, *Maxwelton*; Leny, James Macalpine, *Dalswinton*; Lyon, John, *Kirkmichael*; Lyon, George, *Dalruskin*; Mackenzie, Edward, *Newbie*;

Newbie; Malcolm, William Elphinstone, *Burnfoot*; Maitland, Lauderdale, *Eccles*; Martin, William, *Dardarroch*; Maxwell, Sir John Heron, *Springkell*, Baronet; Maxwell, William Constable, *Nithsdale*; Maxwell, Henry Constable, *Milnhead*; Maxwell, William, *Carruchan*; Maxwell, Alexander Harley, *Portrock*; Maxwell, John Harley, *younger*, Portrock; Maxwell, Colonel Christopher, *Gretna*; Maxwell, Wellwood, *Munches*; Maxwell, Alexander, *Glengaber*; Maxwell, Francis, *Gribton*; Maxwell, Francis, *Gribton*; Maxwell, George, *Broomholm*; Moffat, Samuel, *Auchenhasane*; Moffat, Doctor Alexander Logan, *Sundaywell*; Moffat, John, *Preston House*; Moffat, Alexander, *Lochurr*; Morrine, John, *Carzield*; Morrine, John, *younger*, Carzield; Murray, William, *Henderland*; Murray, John Dalrymple, *Murraythwaite*; Murray, John, *younger*, Murraythwaite; Mundell, Peter, *Bogrie*; M'Donald William Bell, *Rammerscales*; M'Kennell, John, *M'Murdieston*; M'Kennell, James Bairden Affleck, *younger*, M'Murdieston; M'Minn, James, *Esbie*; M'Turk, Robert, *Hastings Hall*; Newton, James Ewing, *Whitecroft*; Paterson, Alexander, *Longbedholm*; Paterson, Robert, *Brocklehurst*; Paterson, William, *younger*, Brocklehurst; Pringle, Andrew, *Lann*; Proudfoot, James, *Craigieburn*; Rae, Matthew, *Newton*; Rogerson William, *Wamphray*; Rogerson, David, *Boreland*; Rogerson, John, *Girthhead*; Rogerson, Samuel, *younger*, Girthhead; Rogerson, George, *Pearceby Hall*; Russell, James L , *Breconside*; Scott, William, *Raeburn*; Simpson, Thomas, *Dallawoodie*; Sharpe, Rear-Admiral Alexander Renton, *Hoddam*; Sharpe, William, *Knockhill*; Smith, Henry, *Nether Ingleston*; Smith, Eaglesfield, *Blackethouse*; Stewart, Charles, *Hillhead*; Stewart, James Hope, *Slodahill*; Stewart, Thomas, *younger*, Slodahill; Stoddart, George Tweedie, *Holmshaw*; Stott, John, *Netherwood*; Swan, Robert, *Brae*; Swan, John, *Whitestonehill*; Threshie, Robert, *Monswall Place*; Todd, James, *Underwood*; Veitch, James, *Eliock*; Wallace, Robert, *Wallace Hall*; Walker, John, *Crawfordton*; Welsh, David, *Collin*; Wilson, Francis Johnstone, *Stroughan*; Wightman, James Seton, *Courance*; Wood, William, *Newmains*; Yorstoun, John Ewart, *Craigenvy*; Younger, William, *Craigielands*; Younger, William, *younger*, Craigielands; *the Master of the Free School at Wallacehall for the Time being for Battersan, the Chamberlain or Baron Baillie of Eskdale for the Time being, the Chamberlain or Baron Baillie of Drumlanrig for the Time being, the Chamberlain for the Marquis of Queensberry for the Time being, the Chamberlain for the Earl of Mansfield for the Time being, the Provost of Dumfries for the Time being, the eldest Baillie of Dumfries for the Time being, the Provost of*

Annan for the Time being, the Provost of Sanquhar for the Time being, the Provost of Lochmaben for the Time being, the Sheriff Depute of Dumfries-shire for the Time being, the Sheriff Substitute of Dumfries-shire for the Time being.

For the Shire of Wigtown.

Edward Hunter Blair *Dunskey*, George Guthrie *Appleby*, Edward James Stopford Blair *younger Penninghame*.

For the Stewartry of Kirkcudbright.

George Samuel Abercromby *Birkenbog and Netherlaw*, William Stewart Balfour *Arbigland*, James Carruthers *Craig*, John Gilchrist Clark *Spaddock*, James Comrie *Gategill*, Robert Dudgeon *Cargen*, Alexander Murray Dunlop *Corsock*, John Fergusson *Kilwhanidy*, Robert Cutler Fergusson *Orroland*, William Forbes *younger Callendar*, Sir William Gordon *Earlston* Baronet, William Hall *younger Mollance*, John Halliday *Mullock*, William Henry Rainsford Hannay *Kirkdale*, Henry Hilton *Fairgirth*, Robert Kirkpatrick Howat *younger Mabie*, James Irving *Barrhinnoch*, Lieutenant-Colonel George William Key *Brae and Conluith*, Alexander McKnight *younger Barlochan*, Andrew Clark McMichan *Corbieton*, Thomas McQueen *Crofts*, Edward McKenzie *Auchinkesch*, Francis Maxwell *Drumpark*, George Maxwell *Glenlee*, Wellwood Maxwell *younger Glenlee*, James Clerk Maxwell *younger Middlebie*, Thomas Maxwell *Auchenfranco*, Reverend George Murray *Troquhain*, Horatio Granville Stewart Murray *Broughton*, James Beaumont Neilson *Queenshill*, Walter Neilson *younger Queenshill*, James Newall *Goldielie*, Follot Pennell *Milton*, Reverend George Robinson *younger Almorness*, Andrew Pringle *Borgue*, Reverend James Stothert *younger Blaiket*, James Welsh, *Furth-head*, Reverend Ninian Wight *younger Largnean*, John Wightman *younger Breckonside*, James Young *Youngfield*.

For the Shire of Ayr.

Archibald Alexander *Boydston*, William Baird *Rosemount*, Edward Hunter Blair *Dunskey*, David Boyle *younger Shewalton*, Hugh Morris Lang *Knockewart*, Charles Somerville McAlester *younger Kennox*, James McCosh *Banker in Dalry*, William McKerrel *Hillhouse*, James Sinclair, *Orangefield*, John Pettigrew Wilson *Polquhairn*.

For the Shire of Dumbarton.

Sir James Colquhoun *Luss* Baronet, Sir Archibald Islay Campbell *Succoth* Baronet, Sir George Hector Leith Ross Baronet,

Baronet, Robert Spruel Crawford Aitcheson Alexander *Airdrie*, George Buchanan *Arden*, Herbert Buchanan *younger Arden*, Andrew Buchanan *Auchentorlie*, John Buchanan *Carbeth*, Thomas Graham Buchanan, James Gray Buchanan *Ardoch*, Thomas Buchanan *younger Ardoch*, John Bartholomew *Broomhill*, William Cuninghame Bontine *Ardoch*, John Barr *Kilmahew*, Alexander James Dennistoun Brown *Balloch*, John Campbell Colquhoun *Killermont*, Archibald Campbell Colquhoun *younger Killermont*, Colin Campbell *Peatoun*, John Campbell Colquhoun *Milligs*, Colin Campbell *Colgrain*, Colin Campbell *younger Colgrain*, Arthur Campbell *Condor-rat*, Arthur Campbell *younger Condor-rat*, William Campbell *Tillichewan*, James Campbell *younger Tillichewan*, Alexander Campbell *Barnhill*, Neil Colquhoun Campbell *younger Barnhill*, Humphrey Walter Campbell *Crosslett*, Walter Duncan *Bogedge*, John Campbell Douglas *Mains*, Alexander Dunlop *Advocate*, Walter Dickson *Writer to the Signet*, Alexander Dennistoun *Muckcroft*, James Duncan *Auchindavie*, George Duncan *younger Auchindavie*, Thomas Duncan *Dullartur*, John Duncan *Twechar and Badenheath*, Robert Buchanan Dunlop *Drumhead*, James Donaldson *Keppoch*, James Dalrymple *Woodhead*, Alexander Dunn *Duntocher*, William Macalister Donald *Lylestone and Auchincarroch*, *Honourable* Mountstuart Elphinstone James Ewing *Strathleven*, John Orr Ewing *Arden*, John Elphinstone Fleming *Cumbernauld*, Robert Findlay *Boturrich*, John Findlay *younger Boturrich*, John Murray Gartshore *Gartshore*, Robert Cuninghame Cuninghame Graham *Gartmore*, John Edward Geils *Dumbuck*, James Gray *Auchingeich*, John Gray *Bed Cow*, James Hozier *St Enock's*, James Hill Kippen *Westerton*, George Wood Kinnear *Drum*, John Lennox Kincaird Lennox *Kincaird and Woodhead*, John Cuningham Leny *Gartocharn*, Robert Duncanson Mackenzie *Culdarvan*, Alexander M'Grigor *Woodilee*, Alexander Bennet M'Grigor *younger Woodilee*, Walter Macindoe, *Shanaglis*, Walter Macindoe *younger Shanaglis*, James Maitland *Shirva*, James Mackenzie *Waterhead*, Major John Orr *Dullartur*, James Richardson *Ferguson*, Alexander Smollett *Bonhill*, John Ferguson Sharpe *Orchardtown*, Alexander Graham Spiers *Culcruech*, Walter Stewart *Balloch*, William Colhoun *Stirling Law*, Samuel Stirling *Oxgang*, John Tait *Advocate*, William Wallace *Auchinvole*, George Wilson *Nethercray*, Andrew Buchanan Yuille *Darleth*.

For the Shire of Bute.

James Frederick Dudley Crichton Stuart, *Captain* Herbert Crichton

Orichton Stuart *Lincoln's Inn*, Charles Villiers Stuart *Kerryviren, Island of Bute*, William Villiers Stuart *Largivreckton, Island of Bute*, Onesiphoris Tyndal Bruce *Stralunt, Island of Bute, the Convener of the County of Bute for the Time being*, James A Hamilton *Kames*, James Millar Millpont *Cumbræ*, John Muir *Foley House, Rothsay*.

For the Shire of Renfrew.

John Patten *Writer to the Signet Edinburgh*, Robert Rodger *Writer in Paisley*.

For the Shire of Stirling.

Thomas Livingston Fenton Livingston *Westquarter*, William Forbes *younger Callendar*, George Robertson *Cookston*, John Wilson *Dulnair*, Robert Ewing *younger Arngomery*, Charles Graham Stirling *Craigbarnet*, Alexander McFarlane *younger Thornhill*, J A Stewart *Nicholson Carnock*, John Bruce *younger Powfoulis*, John McFarlane *Ballenderoch*, George William Graham *Mecklerood*, John Murray *younger Touchadam*, William Stirling *Keir*.

For the Shire of Linlithgow.

The Right Honourable the Earl of Buchan, Sir William Baillie Polkemmet *Baronet*, William Blair *Arontoun*, Archibald Bennet *Muckrae*, Robert Brown, David Carrick Robert Carrick Buchanan *Drumpellier*, William Baillie *younger Polkemmet*, *Honourable Lord Cardross*, James John Cadell *Grange*, William Archibald Cadell *Banton*, William Cadell *younger Grange*, James Cheyne *Woodcockdale*, Alexander Clark *Wester Inch*, Cameron *Fochall*, James Dundas *Dundas*, George Dundas *younger Dundas*, Robert Dundas *Arniston*, Sir Archibald Dunbar *Northfield*, *Baronet*, Adam Dawson, Bonnytown, Adam Dawson *younger Bonnytown*, Robert Denniston, *Barbachlaw*, James Denniston *Glasgow*, Sir William Cunningham *Cavendish Dalzell Binns* *Baronet*, Robert Alexander Osborne *Dalzell* *younger Binns*, Ilay Ferrier *Belleside*, James Fleming *Craigs*, Henry Forsyth *Redhouse*, William Forbes *Lochcote*, Alexander Gray *Knightsridge*, Patrick Gray, *Middlestrath*, Andrew Gillon *Wallhouse*, William Gillespie *Torbanehill*, James Maitland *Hog Newliston*, Thomas Hog *younger Newliston*, *Rear-Admiral* Henry Hope *R.N. C.B.*, John Ferrier Hamilton *West Port*, Walter Ferrier Hamilton *younger West Port*, William Harvey *Bodville* in the County of *Carnarvon*, *the Right Honourable*

able John Hope *Lord Justice Clerk*, James Hope *junior Writer to the Signet*, Sir Archibald Hope *Craighall Baronet*, Captain James Hope *Carriden R.N.*, the Honourable Charles Hope *Bridgecastle*, George William Hope *Barrister*, John David Hope *Glasgow*, Captain the Honourable George Hope *R.N.*, John Hope *Writer to the Signet*, James Robert Hope *Barrister*, Steuart Bayley Hare *Handaxwood*, James Christine Hart *Drumcross*, Captain William Hankey *Middleton*, George Mitchell Innes *Bangour*, Charles Halkett Craigie *Inglis Westcraigs*, James John Hope *Johnstone Annandale*, David Jardine *Blukrig*, Alexander Millar *Netherhillhouse*, Robert Miller *Clarendon*, Reverend James Maitland, *Easter Foulshiels D.D.*, Alexander Marjoribanks of Marjoribanks, Colonel Sir William Alexander Maxwell *Calderwood Baronet*, Robert Scott Moncrieff *Kirkton*, Sir William Keith Murray *Ochertyre Baronet*, John Mitchell *Standhill*, John Miller *Gormyre*, Robert P

Newton *Drumcross*, James Ovenstone *Strathavon*, the Honourable Archibald Primrose, the Honourable Francis Ward Primrose, David Pringle *Carribber*, John Rankin *Incheross*, John Russell *Mosside*, William Russell *Fallhouse*, James Russell *Drumbowie*, James Russell *younger Drumbowie*, Alexander Seton *Preston*, Captain John Stewart *East Binny*, Major Norman Shairp *Houston*, Thomas Shairp *younger Houston*, Stair Hathorn Stewart *Physgill*, Robert Hathorn Johnston Stewart *Champfleurie*, Peter Sawers *Craigengall*, Captain Alexander Shairp *R.N.*, Robert Steuart *Westwood*, Lewis Thomas Nimmo Sandilands *Couston*, William Edward Hope Vere *Craigiehall*, the Honourable James Hope Wallace *Featherstone Castle*, Walter Whyte *Bankhead*, Thomas Durham Weir *Boghead*, William Wilson *Dechmont*, James Waddell *Crofthead*, Henry Finlay Wilson *Fallhouse*, William Wilkie *Boghall*, Robert Warden *West Binny*, Walter Whyte *younger Bankhead*, William Macfarlane Wardrop *Bridge-house*, the Sheriff of the Shire for the Time being, the Sheriff Substitute for the Time being, the Provost of Linlithgow for the Time being.

For the Shire of Perth.

R	J	Rutherford Ayton <i>Ashintully</i> , James
Anderson <i>Comrie</i> , Archibald Butter <i>younger Fascally</i> and		
Pitlochrie, James Brown <i>Lochton</i> , Reverend Doctor James		
Bannerman <i>Abernyste</i> , David Carnegie <i>Stronvar</i> , Reverend		
Alexander Campbell <i>Eastertyre</i> , John Cunningham <i>Balgownie</i> ,		
John S	Chalmers <i>younger Glenericht</i> , James Nichol	
Constable <i>Balmyle and Cally</i> , George Constable <i>Soilziary</i> ,		
John Livingston Campbell <i>Achaluder</i> , Captain John Drum-		
		mond

mond *Aberuchill*, Honourable Robert Drummond *Cromlix*, John Dundas *Manor*, John James Dalgleish *younger Westgrange*, Reverend Edward Place Dewar *younger Overdurdie*, John Murray Drummond *Meggincle*, Major J Guthrie Davidson *Argaith*, David Edwards *Balruddery*, Archibald Ferguson *Dunfallandy*, Andrew Forrester *Easter Arngibbon*, James Farquharson *Invercauld*, George Graham *Meiklewood*, William Graham *Deronslaw*, Robert Geekie *Rosemount*, Robert Geekie *younger Rosemount*, Thomas Greig *Glencurse*, Alexander Geekie *Pitkindie*, Haggart *younger Glen-delvine*, Robert Haldane *Cloun W.S.*, Archibald Horne *Easter Inverchroskie and Whitfield*, William Wemyss Ker *Eastgrange*, Thomas Low *Mylnfield*, Alexander Muir Mac-kenzie *younger Delvine*, Robert Henry Macfarlane *Donavonard*, Charles H Drummond Moray *Abercainey*, John Marshall *Dubheads*, Peter Mailer *Cornhill*, George J Mitchell Burden *Feddae*, James Yeaman Milne *Murie*, Alexander H Milne *younger Murie*, William Murray *Henderland and Pitroddie*, James Clerk Rattray *younger Corabank*, James Clerk Rattray *Craighall-Rattray*, Lieutenant William George Drummond Stewart *younger Grantully*, Allan D Stewart *Strathgarry and Bannanock*, Samuel Peter Speid *younger Forneth*, William Shedden *Lochie*, Stewart Robinson Stewart *Derenlich*, William Scott *Burnside*, Peter Scott *Lochbank*, Reverend A Moody Stuart *Annat*, Colonel Thomas Montagu Steele *Evelick*, Charles Trotter *Woodhill*, David Robertson Williamson *Lawers*, James Edward Norman Graham *younger Leitchtown*.

For the Shire of Kincardine.

The Right Honourable John Viscount Arbuthnott, the Right Honourable James Edward Cranstoun Lord Cranstoun, Lieutenant General the Honourable Hugh Arbuthnott Hatton, Captain the Honourable John Master of Arbuthnott, Lieutenant Colonel the Honourable William Arbuthnott Harrieston, Sir James Carnegie Southesk Baronet, Sir Alexander Burnett Leys Baronet, Sir John Stuart Forbes Fettercairn Baronet, Sir Alexander Ramsay Balmain Baronet, Sir William Keith Murray Ochtertyre Baronet, Sir Thomas Gladstone Fasque Baronet, Sir Alexander Bannerman Elsick Baronet, Robert Barclay Allardice Wry, James Arnott Leithfield, Thomas George Torry Anderson Fawsyde, James Horn Burnett Tilliboy, James Burnett Burnett Monboddo, John Irvine Boswell Kingcaussie, John Blaikie Core, Alexander Crombie Thornton, Licutenant Colonel John Campbell Blackhall,

hall, John Carnegie *Redhall*, Robert Duff *Fetteresso*, Patrick Davidson *Inchmarlo*, Alexander Davidson *Balnagask* Peter Duguid *Auchlunies*, Alexander Dingwall *Fordyce Woodstone*, James Farquhar *Hallgreen*, Thomas Newman Farquhar *Jackston* William Nathaniel Forbes *Dunnottar*, William Forbes *Castleton*, Alexander Forrest *Tulloch*, John Farrel *younger* Woodburnden, James Ferguson *Altens*, Ferguson *younger* Altens, Arthur Farquhar *Elsick*, Major Andrew Gammell *Drumtochty*, Earnest Gammell *Portlethen*, Charles Gordon *Maryculter*, Barron Graham *Merphie*, William Forsyth Grant *Ecclesgreig*, Alexander Gibbon *Johnston*, James Gillan *Ardo*, Robert William Rickart Hepburn *Rickarton*, William Innes *Raemoir*, Alexander Innes *Raemoir*, David Johnston *Redmyre*, James John Kinloch *Kair*, Alexander John Kinloch *Park*, Henry Lumsden *Tilwhilly*, Anthony Mactier *Durris*, Alexander Walker Mactier *younger* Durris, James Boyne M'Combie *Jellybrands*, William David Morrice *Tullos*, Major William M'Inroy *the Burn*, John Michell *Glassel*, John Miller *Drumlittrie*, James Dyce Nicol *Badentoy*, Alexander Ogston *Ardo*, William Adam Orr *Bridgeton*, Alexander Porteous *Laurieston*, William Burnett Ramsay *Banchory Lodge*, Captain Thomas Ramsay *Caldhame*, Hercules James Robertson *Liferenter* Benholm, Horatio Ross *Netherby*, David Scott *Liferenter* Brotherton, James Robert Scott *Fiar* Brotherton, James Fitzmaurice Scott *Commieston*, George Thomas Straton *Kirk-side*, William Stewart *Hilton*, Hercules Scott *Nether Benholm*, David Scott *Balnakittle*, George Symmers Anderson Symmers *Elrick*, Alexander Anderson Symmers *Cookney*, George Taylor *Kirktonhill*, Alexander Thomson *Banchory*, John Yeats *Kincorth*, the Sheriff of the County, the Sheriff Substitute of the County, the Provost of the Burgh of Inverbervie, the eldest Baillie of the Burgh of Inverbervie, the Masters of Mortifications of the Guild Brethren's Hospital in Aberdeen, the Treasurer of Robert Gordon's Hospital in Aberdeen.

For the Shire of Aberdeen.

Alexander Davidson *Desswood*, Robert Ledingham *Water-igdemuir*, Reverend William Mearns *Disblair*, Andrew Murray *Allathan*, Alexander Lunsden Shirrefs *Blairmormond*, the Baron Baillie of the Barony of Delgaty for the Time being, Henry Inglis Commissioner for the Trustees of the late James Earl of Fife.

For the Shire of Cromarty.

The Most Noble the Marquis of Stafford, George William Holmes Ross *Cromarty*, Robert Bruce Eneas Mac Leod *Cad-boll*, Henry Dunning Mac Leod, John Andrew Shaw Mac-kenzie

kenzie *Newhall*, George Gun Munro *Poyntzfield*, William Ord Mackenzie *younger Calbo*, Colin Lyon Mackenzie *Saint Martin's*, John Mackenzie Fraser *Braelangwell*, John Taylor *Sheriff Clerk of Cromarty*, Charles Shaw *Newhall*, Alexander Matheson *Ardross*, Hugh Mackenzie *Dundonnell*.

For the Shire of Argyll.

Francis William Clark *Ulea*, Francis William Clark *younger Ulva*, William Forlong *Erines*, Alexander Mac Donald Galbreath *Glencraig*, Sir Archibald Islay Campbell *Succoth Baronet*, Richard D Campbell *Jara*, Lord Strathallan, Octavius Henry Smith *Acharanich*, Dugald Mac Neil Campbell *Kintarbert*, William Fraser *Skipness*, James Robertson *Auchinbreck*, Sir Angus Campbell *Dunstaffnage*, Alexander Crawford *Aros and Tobermory*, John Mac Neil *Ardnacross*, Alexander Mac Ewing *Sunderland*, Robert Harvey *Pennygarn*, Colonel Thomas Hall *Killean, Angus*, William Hall *younger Killean*, John Mac Arthur *Ardmeanach*, Duncan Mac Ivor Campbell *Lochgair*, Gascone *Craignish*, Doctor Nicol *Ardmar-nock*
 S James Hunter *younger Hafton*, F C Gascoigne.

For the Shire of Fife.

John Allan *Halcroft*, Alexander Adamson *Callange*, George Anderson *younger Lusear*, William Anderson *Glentarkie*, James Aitken *St Margaret Stone*, Doctor Adamson *Priory Lands, St Andrew's*, William Pulteney Adam *younger Blair Adam*, David Aitken *Portioner Southfod*, James Aitken *Portioner Southfod*, Andrew Buchanan *Blair*, James Bogie *Balbie*, Arthur Barclay *Mugask*, Robert Brown *New Grange*, George Brown *younger New Grange*, Robert Bethune *Nydie*, David Brown *Barns*, Alexander Bogie *Balass*, Lieutenant David Brigg *Straithairly*, Sir John Bethune *Kilconquhar Baronet*, William Baird *Elie*, Captain Charles Ramsay *Drinkwater*, Bethune *Balfour*, William Blyth *Luckiebank*, Alexander John Beatson *Ross-end*, Reverend John Bruce *Nether Beath*, Michael Benny *Oer Inzierar*, David Burt *Arngask*, Erskine Beveridge *Brucefield*, Hugh Francis Clark *Cleghorn* *younger Stravithy*, Andrew Coventry *Pittilloch*, William Briggs *Constable Blair*, Andrew Colville *Barnhill*, James Cheyne *younger Kilmaron*, James Christie *younger Dune*, George Cheape *Wellfield*, Robert Dundas *younger Largo*, Robert Davidson *Bogie*, Captain William Heriot Maitland Dougall *Scotsraig*, Lieutenant-Colonel Melville Dalryell *Lingo*, William Ogilvy *Dagleish* *younger Woodburn*, James Grant Duff *Balbougie*, John James Dalgleish *younger Dalbeith*, Adam Duncan *Naughton*, Sir Thomas Erskine

Erskine *Cambo* Baronet, Francis Robert St Clair Erskine *commonly called* Lord Loughborough, William Fraser *Hillside*, William Bonnar Gilmour *younger* Pitlochrie, Andrew Gulland *Carskerdo*, Charles Gulland *Writer* Falkland, Thomas Gourlay *Craigrothie*, James Goodall *Rennyhill*, David Greenhill *Greenmount*, Alexander Hill *Stonywynd*, John David Buchanan Hay *younger* Norton, General Douglas Mercer Henderson *Fordel*, Captain George William Mercer Henderson *younger* Fordel, William Hunt *Navity*, James Hunt *younger* Navity, James Alexander Hunt *Baldrige*, Alexander Ireland *Bannity*, Walter Foggo Ireland *Spalding*, John Cornelius Halkett *Craigie Inglis younger* Dumbarnie, George Johnston *younger* Lathrisk, James Keyden *Pittimcarty*, John Boyd Kinneir *younger* Kinloch, William Alexander Laurie *Ross-end*, William Lindesay Lumsdaine *younger* Lathallan, Sir Coutts Trotter Lindsay *Baronet younger* Balcarris, David Landale *Pittauchope*, Andrew Landale *younger* Woodbank, David C Lindsay *younger* Lochton, Edwyn Sandys Lumsden *younger* Innergelie, Andrew Murray *Conland, the Honourable* Alexander Leslie Melville *Viscount* Balgonie, William Murray *Kinkell*, William Morgan *Milton*, William Hobson Mowbray *Otterstone*, David Melldrum *younger* Kincahle, Andrew Nicol *Bonnytown*, Patrick Oliphant *Over Kinneddar*, William Pagan *Earlshall's Radernie*, George Hair Pagan *younger* Earlshall's Radernie, James Russell *Priory Lands, St Andrew's*, John Fowler Reoch *Gilmerston*, Andrew Rentoul *Lahill*, William Ross *Greenside*, William Reddie *Redhouse*, Major Alexander Rose *Whitehill*, Henry Laurie Scott *Lacesston*, James Stenhouse *younger* Northfod, John Scott *Wester Cash*, John Sligo *Oakley*, Colin Symers *Kingskettle*, Moncreiff Patrick George Skene *younger* Hallyards, William Swan *Prestonhall*, William Smith *Priory Lands, St Andrew's*, James Henry Stark *younger* Teasses, George Simson *younger* Letham, Robert Tullis *Grange*, John Thom *younger* Catochil, John Watson *Halbeath*, Adam Low Wardlaw *Portioner*, Stevenson's Beath, John Wallace *Newtonhall*, James Wright *Halfield*, James Hay Erskine Wemyss *younger* Torrie and Wemyss, Walter Walker *younger* Kingash, James Balfour Wemyss *younger* Wemyssshall, Robert Walter Wood *Grangehill*, William Young *Grange*, Harry Young *Cleish*, Joseph Young *Green-mount*.

For the Shire of Kinross.

Arthur Hay Barclay *Paris*, Andrew Murray *Conland*, Admiral Sir Charles Adam *Blair Adam*, K.C.B., William Patrick Adam *younger* Blair Adam, Harry Young *Cleish*, James Steedman *Fruix*, James Steedman *younger* Fruix,

Fruix, David Scott *Auchtenny*, Lawrence Oliphant *Mid-
dlerig*, the Viscount Dupplin, William Wilson *Hatchbank*,
Henry Flockhart *Annafreich*, William Reid *East Bank*, John
Reid *younger East Bank*, Thomas Stocks Beveridge *Carsegour*,
John Horn *Thornauan*, Reverend John Gardiner Beveridge
Tillyochie, Thomas Spouart *Bellfield*, James Dempster *Wester
Tillyochie*, William Dempster *younger Wester Tillyochie*, An-
drew Beveridge *Wester Balado*, Thomas Beveridge *Easter
Balado*, James Beveridge *younger Easter Balado*, John Hen-
derson *Turfhills*, George Henderson *younger Turfhills*, Sir
Graham Graham Montgomerie *Kiaross and Burleigh* Baronet,
John Rutherford Greig *Lethangie*, John Rutherford Greig
younger Lethangie, David Syme *Warrock*, William Bethune
Craigon, John Brown *Finderley*, James Robertson *Touchie*,
James Hutton *Waulkmill*, James Hutton *younger Waulkmill*,
Andrew Reddie *Netherhall*, Reverend George Coventry *Shan-
well*, George Andrew Coventry *younger Shanwell*, James Neil-
son Palmer *Hilton*, James Neilson Palmer *younger Hilton*,
John Waldie *Craigon*, James Waldie *younger Craigon*, John
Henry Belfrage *Colliston*, Patrick George Skene *Hallyards*,
Moncreiff Skene *younger Hallyards*, James Simpson *Mawcarse*,
Charles Stein *Huttonburn*, James Cunsdaine Wilson *Orrell*,
George Arnott Walker Arnott *Arlary*, David Walker Arnott
younger Arlary, David Greig *Tilliarne*, John Greig *younger
Tilliarne*, James Hogg *Pittendreich*, James Walker *Ledlation*,
John Beveridge *Kinniston*, Bruce Arnott, John
McDougall *Finduty*, the Reverend Sir Henry Wellwood Mon-
crieff *Tullibole* Baronet, James Kerr *Maw Mill*, Alexander
Forfar *Little Leggie*.

For the Shire of Forfar.

The Honourable William Maule Maule *Fearn and Maules-
den*, Sir James Carnegie *Southesk* Baronet, Sir Alexander
Ramsay *Balmain* Baronet, Edward Baxter *Kincaldrum*, Wil-
liam Baxter *Balgavies*, William Edward Baxter *younger Kin-
caldrum*, Major Charles Brown Constable *Wallace Craigie*,
Patrick Alexander Watson Carnegie *Lour and Turin*, John
Lindsay Carnegie *younger Boysack*, William Cruickshank
Langley Park, David Dickson, *Clocksbriggs*, William Henry
Kennedy Erskine *Dun*, David Edward *Balruddery*, William
Forrest *younger Easter Ogil*, David Fyffe *younger Smithfield*,
Richard Gardner *Dudhope*, William Gray *Carse*, Thomas Mac
Pherson Bruce Gardyne *Middleton*, George Hawkins *younger
Dunnichen*, George Clayhills Henderson *younger Carlingwell*,
David Hill *Cotton of Craig*, William Taylor Blair *Imrie Lunan*,
Robert Johnston *Denfield*, Patrick Kerr *Drumgeith*, Christo-
pher

pher Webster Kerr *younger* Wester Meathie, David Lyall *Gallery*, James Mitchell *Affleck*, John Nicoll *younger* Kinlune, James Neish *Laws and Omachie*, Reginald Howard, Alexander Ogilvy *younger* Baldovan, John Ogilvy *younger* Inshewan, James Alexander Pierson *Guynd*, Pattullo *Longhaugh*, George Robertson *Cookston*, Thomas Frederick Scrymgeour *Fotheringham Pourie and Fotheringham*, George Scott *Renmure*, Thomas Renny Tailyour *Borrowfield*, Henry Scrymgeour *Wedderburn younger* Wedderburn, Captain William Baird *Young younger* Ascreavie.

For the Shire of Banff.

The Viscount Reidhaven, Henry Lumsden *Auchindorland and Clood*, William James Harvey *Carnousie*, John Harvey *younger* Carnousie, John Forbes *Haddo*, Murdock Forbes *younger* Haddo, George Abercromby Young *Leslie Kinmore*, Robert Simpson *Cobairdy and Balnoon*, Patrick B Simpson *younger* Cobairdy, John Gordon *Avichy and Mayen*, William Robert Gordon *Mains of Tolle*, Hay McDouall Grant *Arndilly*, George Petrie Hay *Edintore*, James Cumine *Rat-tray*, James Morrison *Culvie*, Thomas Gilgean Rose *Innes Netherdale*, Robert Arbuthnot *Invernethie*, Hans George Leslie *younger* Pnulugas, Archibald Gordon *Factor* for William Gordon Campbell, William Coutts *Solicitor* Banff, John Forbes *Solicitor in* Portsoy, Anthony Adrian Blaikie *Advocate* Aberdeen, John Forsyth *Fife Keith*, Alexander Milne *Blairshumock*, Alexander Watt *Macduff*, George Bannerman *Solicitor* Banff, Robert Spottiswood Farquhar *Advocate* Aberdeen, Andrew Inglis *Writer* Edinburgh, James Will *Surgeon* Aberdeen, Robert Falconer *Solicitor* Keith, Alexander Cameron *Solicitor* Banff, Robert Walker *Leuchars House Elgin*, William Leslie *Writer* Edinburgh, Robert Duncan *Banff*, James Moir *Overton Portsoy*, John Blaikie *Advocate* Aberdeen, Robert Gordon *Letterfoury House, the Baron Baillie of the Barony of Rothiemay, the Baron Baillie of the Barony of Auchintoul, the Baron Baillie of the Barony of Newmill, the Baron Baillie of the Barony of Glengerrock, the Baillie of the Burgh of Barony of Rothiemay, the Baillie of the Burgh of Barony of Newmill*, John Fleming *Factor* for Ballindalloch *residing* at Ballindalloch Castle, James Grant *Writer* Elgin, George Leslie *Writer* Elgin, Henry Inglis *Commissioner for the Trustees of the Right Honourable James Earl of Fife*, John Grant, *Glen Grant*, Thomas M'Pherson Grant *Writer to the Signet* Edinburgh, *the Baron Baillie of the Barony of Mountbleton, the Baron Baillie of Cullen in the Parish of Gamrie, the Baron Baillie of the Barony of Doun*, Alexander Craik

Craik Petchaish, Ballindalloch, William Coutts Solicitor Banff, as a Trustee of the deceased Mrs Elizabeth Mary Rose Innes, on the Lands of Netherdale.

For the Shire of Caithness.

John George Tollemache Sinclair *younger* Ulbster, James Henderson *Bilbster*, Alexander Adam *Lyniger*, William Stewart James Horne Munro *Latheron*.

For the Shire of Elgin and Forres.

William Brown *younger* Dunkinty, Sir George M'Pherson Grant *Ballindalloch*, Captain David Hay *Westerton*, Alexander Smyth *Belnagieth*, William Grant *Thornhill*, William M'Kilgigin *Relugas*.

For the Stewartry of Orkney and Zetland.

William Balfour *Gairsay*, George Craigie Balfour *Hescamb*, William G Balfour *younger* Hescamb, James William Balfour *Lieutenant 7th Dragoon Guards*, John George Moodie Heddle *younger* Melsetter, Robert William Heddle *Melsetter*, Charles S Still *Swungro*, George Traill *younger* Holland, Thomas Traill *Holland*, Thomas S Traill *younger* Tirlot, John Traill *younger* Woodwick, Samuel Laing *junior* Crook, Archer Fortescue *Swanbister*, Frederick Burroughes *Veira*, Robert James Hebden *Carrick*, Charles Traill *Woodwick*, Robert Scarth *Binscarth*, Edward Scollay *Norton*, Bryce M Ranken *Writer* Kirkwall, Robert Brochie *Swannay*, the Honourable George William Hamilton *Viscount* Kirkwall *Lieutenant 92d Foot*, Doctor James S Logie *younger* *Islister*, Robert Thomas Charles Scott *Melby R.N.*, Frederick Dundas *Pabdale*.

For the Shire of Clackmannan.

Robert Robertson *Westgrange*, James Blair *Glenfoot*.

For the Shire of Ross.

The Most Noble the Marquis of Stafford, Sir Kenneth Smith Mackenzie *Baronet* Gairloch, Sir James Matheson *Baronet* The Lews, James Maitland Balfour *Strathconan*, Henry James Baillie *younger* Redcastle, James Evan Baillie *Glenshiel*, Duncan M'Donnell Chisholm *Chisholm*, Arthur Forbes *Culloden*, Henry Mackenzie Fowler *Raddery*, Francis Mackenzie Gillanders *Newmore*, James Falconer Gillanders *Highfield*, William Humphrey *Bayfield*, Alexander Cockburn M'Barnet *Torridon*, Alexander Watson Mackenzie *younger* Ord, James Falconer Mackenzie

Mackenzie *Allangrange*, Lewis Mark Mackenzie *Findon*, Alexander Matheson *Ardross*, Andrew Munro *Rockfield*, Charles Munro *younger Fowlis*, George Munro *Katewell*, John Munro *Swordale*, Fitzgerald Lockhart Ross Murray *Pitcalzean*, William Hugh Murray *Geanies*, William George Holmes Ross *Cromarty*, Henry William White, *Monar*, Thomas Mackenzie *Sheriff of Ross and Cromarty*, George Cameron *Sheriff Substitute of Cromarty Dingwall*, Robert Sutherland Taylor *of Ross and Cromarty Tain*, Andrew Lothian Macdonald *Sheriff Substitute of Ross and Cromarty, Stornoway*.

CAP. CXII.

An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages; also Job Carriages and Horses, and Carts let for Hire, within the Police District of Dublin Metropolis.—[20th August 1853.]

CAP. CXIII.

An Act to amend the Procedure in the Superior Courts of Common Law in Ireland.—[20th August 1853.]

CAP. CXIV.

An Act to extend the Municipal Boundaries of the Borough of Belfast, and to reduce the Scale of Rating upon certain Property within the said Borough.—[20th August 1853.]

CAP. CXV.

An Act to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in Edinburgh and Dublin, and otherwise to amend the said Act.—[20th August 1853.]

WHEREAS it is expedient to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the transmission of certified Copies of Letters Patent and Specifications

15 & 16
Vict. c. 83.

Sect. 33.
and Part
of Sect. 28.
of recited
Act re-
pealed.

Copies of
Provisional
Specifi-
cations to
be open to
Inspection
at the Com-
missioners
Office.

A Copy of
every Spe-
cification,
&c., under
the Hand
of the Pa-
tentee or
Applicant,
to be left
at Commis-
sioners
Office.

Copies or
Extracts
of Letters
Patent,
&c., certi-
fied and
sealed,
filed at
Commis-
sioners
Office, to
be received
in Evi-
dence.

Certified
printed
Copies of
Specifi-
cations, &c.,
under Seal
of Commis-
sioners, to
be trans-
mitted to
the Direc-
tor of
Chancery
in Scot-
land, and
to the

Specifications to certain Offices in *Edinburgh* and *Dublin*, and otherwise to amend the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Section Thirty-three of the said Act, and such Part of Section Twenty-eight of the said Act as directs that in case Reference is made to Drawings in any Specification deposited or filed under the said Act an extra Copy of such Drawings should be left with such Specification, shall be repealed.

II. The Commissioners shall cause true Copies of all Provisional Specifications left at the Office of the Commissioners to be open to the Inspection of the Public, at such Times, after the Date of the Record thereof respectively, as the Commissioners shall by their Order from Time to Time direct.

III. A true Copy, under the Hand of the Patentee or Applicant, or Agent of the Patentee or Applicant, of every Specification and of every Complete Specification, with the Drawings accompanying the same, if any, shall be left at the Office of the Commissioners on filing such Specification or Complete Specification.

IV. Printed or Manuscript Copies or Extracts, certified and sealed with the Seal of the Commissioners, of Letters Patent, Specifications, Disclaimers, Memoranda of Alterations, and all other Documents recorded and filed in the Commissioners Office, or in the Office of the Court of Chancery appointed for the filing of Specifications, shall be received in Evidence in all Proceedings relating to Letters Patent for Inventions in all Courts whatsoever within the United Kingdom of *Great Britain* and *Ireland*, the Channel Islands, and *Isle of Man*, and Her Majesty's Colonies and Plantations abroad, without further Proof or Production of the Originals.

V. Certified printed Copies, under the Seal of the Commissioners, of all Specifications and Complete Specifications, and Fac-simile printed Copies of the Drawings accompanying the same, if any, Disclaimers, and Memoranda of Alterations filed or hereafter to be filed under the said Patent Law Amendment Act, shall be transmitted to the Office of the Director of Chancery in *Scotland* and to the Enrolment Office of the Court of Chancery in *Ireland* within Twenty-one Days after the filing thereof respectively, and the same shall be filed in the Office of Chancery in *Scotland* and *Ireland* respectively, and certified Copies or Extracts from such Documents shall be furnished to all Persons requiring the same, on Payment of such Fees as the Commissioners shall direct; and such Copies or
Extracts

Extracts shall be received in Evidence in all Courts in *Scotland* and in *Ireland* respectively in all Proceedings relating to Letters Patent for Inventions, without further Proof or Production of the Originals.

VI. Where Letters Patent have not been sealed during the Continuance of the provisional Protection on which the same is granted, provided the Delay in such sealing has arisen from Accident, and not from the Neglect or wilful Default of the Applicant, it shall be lawful for the Lord Chancellor, if he shall think fit, to seal such Letters Patent at any Time after the Expiration of such provisional Protection, whether such Expiration has happened before or shall happen after the passing of this Act, and to date the sealing thereof as of any Day before the Expiration of such provisional Protection, and also to extend the Time for the filing of the Specification thereon; and where the Specification, in pursuance of the Condition of any Letters Patent, has not been filed within the Time limited by such Letters Patent, provided the Delay in such filing has arisen from Accident, and not from the Neglect or wilful Default of the Patentee, it shall be lawful for the Lord Chancellor, if he shall think fit, to extend the Time for the filing of such Specification, whether the Default in such filing has happened before or shall happen after the passing of this Act: Provided always, that, except in any Case that may have arisen before the passing of this Act, it shall not be lawful for the Lord Chancellor to extend the Time for the sealing of any Letters Patent, or for the filing of any Specification, beyond the Period of One Month.

VII. And whereas Doubts have arisen whether the Provision of the Patent Law Amendment Act, 1852, for the making and sealing new Letters Patent for a further Term, in pursuance of Her Majesty's Order in Council, in the Cases mentioned in Section Forty of the said Act, extends to the making and sealing of new Letters Patent in the Manner by such Act directed where such new Letters Patent are granted by way of Prolongation of the Term of Letters Patent issued before the Commencement of the said Act: And whereas it is expedient that such new Letters Patent granted by way of Prolongation shall be granted according to the Provisions of the said Patent Law Amendment Act: Be it declared and enacted, That where Her Majesty's Order of Council for the sealing of new Letters Patent shall have been made after the Commencement of the said Act, the said Provision of the said Act for making and sealing in manner aforesaid of new Letters Patent shall extend, and shall as from the Commencement of the said Act be deemed to have extended, to the making and sealing

Court of Chancery in Ireland which shall be Evidence, without Production of Originals. Lord Chancellor, in certain Cases may seal Letters Patent after the Expiration of provisional Protection.

Removing Doubts as to Provision of 15 & 16 Vict. c. 83, respecting the making and sealing of new Letters Patent for a further Term.

15 & 16
Vict. c. 83.
and this
Act to be
construed
as One
Act.

sealing in manner aforesaid of new Letters Patent for a further Term, as well where the original Letters Patent were made before as where such original Letters Patent have been issued since the Commencement of the said Act.

VIII. This Act, and the Patent Law Amendment Act, 1852, shall be construed together as One Act.

CAP. CXVI.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeon's Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.—[20th August 1853.]

CAP. CXVII.

An Act to amend the Laws relating to the Redemption and Purchase of the Land Tax in Great Britain.—[20th August 1853.]

WHEREAS it is expedient to restrict the Redemption and Purchase of the Land Tax in *Great Britain* to Persons having an Estate or Interest in the Lands or Hereditaments whereon such Land Tax is charged: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Redemption
tion of
Land Tax
restricted
to Persons
having an
Interest in
the Pro-
perty.

I. From and after the passing of this Act the Redemption and Purchase of Land Tax in *Great Britain* shall be subject to the Provisions herein-after contained: No Body Politic or Corporate, nor any Person whatever, shall be entitled to redeem or Purchase any Land Tax, except such Bodies Politic and Corporate and Persons respectively having an Estate or Interest

Interest in the Messuages, Lands, Tenements, or Hereditaments, whereon such Land Tax is or shall be charged, and to whom Preference in the Redemption of Land Tax was given for a limited Period by the Act passed in the Forty-second Year of the Reign of King *George* the Third, Chapter One hundred and sixteen.

II. Upon the Completion of any Contract entered into after the passing of this Act for the Redemption of Land Tax, and upon the Transfer of Payment of the Consideration for the same, the Messuages, Lands, Tenements, or Hereditaments comprised in such Contract shall be wholly freed and exonerated from the Land Tax charged thereon, and from all further Assessments thereof, and from any yearly Term, Rent, or Rentcharge in respect of any Consideration for such Contract.

Land Tax
redeemed
to merge
in the
Estate.

CAP. CXVIII.

An Act to amend an Act of the Seventh Year of Her Majesty for the better Apprehension of Certain Offenders.—[20th August 1853.]

CAP. CXIX.

An Act for the Suppression of Betting Houses.—[20th August 1853.]

(§ XX. This Act shall not extend to Scotland.)

CAP. CXX.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England and Wales.—[20th August 1853.]

CAP. CXXI.

An Act for providing Places of Confinement in England and Wales for Female Offenders under Sentence or Order of Transportation.—[20th August 1853.]

CAP. CXXII.

An Act to render valid certain Marriages in the Church of the Holy Trinity in the Township of Hulme and Parish of Manchester in the County of Lancaster.—
[20th August 1853.]

CAP. CXXIII.

An Act to amend the Laws relating to the Investments of Friendly Societies.—[20th August 1853.]

WHEREAS by the Acts now in force relating to Friendly Societies such Societies are authorized and required to invest their Funds in the Manner and upon the Securities mentioned in the said Acts: And whereas it is expedient to grant other Facilities for investing their Funds to such Societies: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Friendly Societies may invest their Funds otherwise than as required by 13 & 14 Vict. c. 115.

Societies availing themselves of this Act not to invest any further Portions of their Funds with the

I. Any Friendly Society duly established under any Act of Parliament, and which is empowered by its Rules to assure to or on the Death of any Person a Sum exceeding Two hundred Pounds, or to grant an Annuity on any Life exceeding Thirty Pounds per Annum, may invest the Funds of such Society after the passing of this Act, not only in the Manner and upon the Securities mentioned in the Twelfth Section of an Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of Her present Majesty, but also upon the Security of any Rates, Tolls, Duties, Assessments, Bonds, Debentures, or other Securities of any Body or Company incorporated by Act of Parliament or Charter which such Body or Company is authorized by such Act or Charter to raise, levy, or mortgage, or on the Security of any Policy or Policies of Assurance effected upon a Life or Lives of adequate Value.

II. If any such Society shall invest any Portion of its Funds which may now by Law be invested with the Commissioners for the Reduction of the National Debt in any of the Securities enumerated in this Act, it shall not be lawful for such

such Society to invest thereafter any further Portion of the Funds of such Society with the said Commissioners.

III. No such Friendly Society which previously to the passing of this Act has not opened an Account with the Commissioners for the Reduction of the National Debt shall be allowed, after the passing of this Act, to invest its Funds or any Part thereof with the said Commissioners.

Commissioners for the Reduction of the National Debt. Societies not already having an Account with the said Commissioners, after passing of Act not to invest Funds with said Commissioners.

CAP. CXXIV.

An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts.—[20th August 1853.]

CAP. CXXV.

An Act to continue and amend the Metropolitan Sewers Acts.—[20th August 1853.]

CAP. CXXVI.

An Act to confirm certain Provisional Orders of the General Board of Health for Accrington, Bangor, and Uxbridge, and to provide for conducting the First Election of a Local Board of Health at Elland.—[20th August 1853.]

CAP. CXXVII.

An Act to reduce the Duties payable in respect of Hackney Carriages used in the Metropolis, and to amend the Laws relating to the granting of Licences and Payment of Duties in respect of Metropolitan Stage and Hackney Carriages, and to make Provision as to the Charge for the Hire of Hackney Carriages in certain Cases.—[20th August 1853.]

CAP. CXXVIII.

CAP. CXXVIII.

An Act to abate the Nuisance arising from the Smoke of Furnaces in the Metropolis and from Steam Vessels above London Bridge.—[20th August 1853.]

CAP. CXXIX.

An Act further to amend the Law relating to Pilotage.—[20th August 1853.]

CAP. CXXX.

An Act to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in Ireland.—[20th August 1853.]

CAP. CXXXI.

An Act to amend various Laws relating to Merchant Shipping.—[20th August 1853.]

WHEREAS it is expedient to amend various Laws relating to Merchant Shipping: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.
—

Interpretation of
Terms in
this Act.

I. In the Construction of this Act the following Words and Expressions shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; (that is to say,)

The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Word "*Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood, of the Most Glorious and Undivided Trinity and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House of Deptford Strond*;

The Expression "Commissioners of Northern Lighthouses" shall mean the Commissioners in whom the Management of *Scotch* Lighthouses is vested by the Act of the Twenty-sixth

sixth Year of the Reign of King *George* the Third, Chapter One hundred and one, and by various other Acts: *Preliminary.*

The Expression "the Port of *Dublin* Corporation" shall mean the Corporation for preserving and improving the Port of *Dublin*:

The word "Lighthouse" shall include Lighthouse, Light, Floating Light, Beacon, Buoy, or other Mark, Sign, or Signal of the Sea:

The Word "Lighthouse Tolls" shall include every Species of Duty or Payment payable by Owners or Masters of Ships or otherwise received in respect of Lighthouses:

The Word "Ballastage Rates" shall include all Rates and other Monies received by the *Trinity House* in respect of their exclusive Right of supplying Ballast to Vessels in the River *Thames*, under the local Act of the Seventh Year of Her Present Majesty, Chapter Fifty-seven, for the Regulation of Lastage and Ballastage in the River *Thames*, or otherwise:

The Expression "Consular Officer" shall include Consul General, Consul, and Vice-Consul, and any Person for the Time being discharging the Duties of Consul, Consul General, or Vice-Consul:

The Word "Owner" when applied to a Ship, shall include all the Persons, if more than One, to whom the Ship belongs, and shall also, if the Master and Crew are the Servants of the Charterer or Charterers, include such Charterer or Charterers:

The Word "Master" shall include every Person (except a Pilot) having Command or Charge of a Ship:

The Word "Seaman" shall include every Person (except Masters and Pilots) employed or engaged to serve in any Capacity on board any Ship:

The Word "Salvor" shall mean the Person or Persons in Command of any Ship or Ships by which, or by the Crews or any part of the Crews of which, Salvage Services are rendered:

The Word "Ship" shall include every Seagoing Vessel:

The Expression "Her Majesty's Dominions" shall include Her Majesty's Dominions strictly so called, and all Territories under the Government of the *East India* Company, and all other Territories, if any, governed by any Charter or Licence from the Crown or Parliament of *Great Britain*, and the *Ionian* Islands.

II. This Act may be cited as "The Merchant Shipping Law Amendment Act, 1853." Short Title.

III. This

Com-
mence-
ment of
Act.

Light Dues
and other
Dues on
Shipping.

6 & 7 Vict.
c. lviii. (Lo-
cal and
Personal.)
13 & 14
Vict. c. 93.
14 & 15
Vict. c. 96.
14 & 15
Vict. c. 79.

The Light
Dues pay-
able to the
Trinity
House,
Northern
Light Com-
missioners,
and Bal-
last Board,
and the
Ballast
Rates of
the Trinity
House, to
form the
Mercantile
Marine
Fund.

Account of
the said
Fund to be
kept by
Her Ma-
jesty's
Paymaster
General.

III. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-three.

IV. And whereas the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation receive, under various Acts of Parliament, Grants, and Charters, certain Lighthouse Tolls, and the said *Trinity House*, in respect of their exclusive Right of supplying Vessels in the River *Thames* with Ballast, receive certain Ballastage Rates under the said Act of the Seventh Year of Her present Majesty, Chapter Fifty-seven: And whereas the Board of Trade receive certain Fees and other Payments under "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," and "The Steam Navigation Act, 1851:" And whereas the *Trinity House* have, so far as relates to the said Tolls and Rates so received by them, agreed that the Account thereof shall be kept at the Bank of *England*, and that certain Regulations shall be adopted for the Purpose of reducing the same from Time to Time as the Requirements of the Services for which they are levied will permit, and for the Purpose of subjecting the Receipt and Expenditure thereof to effective Supervision and Control: And whereas it is expedient that the whole of the aforesaid Tolls, Rates, Fees, and Payments should be made subject to similiar Regulations with a view to the Supervision and Control of the Receipt and Expenditure thereof, and to the Application thereof to the several Services in respect of which they are paid, and to the Reduction thereof respectively whenever Circumstances will permit: Be it enacted, That all Lighthouse Tolls received by or on account of the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively, and all Ballastage Rates received by the *Trinity House*, and all Fees or Payments received by the Board of Trade under the several Acts herein-before mentioned in that Behalf, shall be carried to One aggregate Fund, to be called "The Mercantile Marine Fund;" and such aggregate Fund shall be applicable to the Purposes of the Services in respect of which the said Tolls, Rates, Fees, and Payments are levied, and to the Execution of Works necessary or expedient for permanently reducing the Expense of such Services, and, save as herein-after specially mentioned, to no other Purposes whatever.

V. An Account of the said Fund, to be entitled "The Mercantile Marine Fund Account," shall be opened with Her Majesty's Paymaster General; and the said Paymaster General shall keep separate Accounts of the several Monies so received as aforesaid by the said several Bodies respectively, and shall also keep separate Accounts of the Monies received by the

Trinity

Trinity House for Lighthouse Tolls and Ballastage Rates respectively, and shall keep the Accounts of all Monies received by the *Trinity House* in such Names as the *Trinity House* may from Time to Time appoint; and all Monies received on account of such Tolls, Rates, Fees, or Payments as aforesaid after the Time at which this Act comes into operation, and all Cash Balances arising from such Tolls, Rates, Fees, or Payments which at that Time are in the Hands of the *Trinity House*, the Commissioners of Northern Lighthouses, the Port of *Dublin* Corporation, or the Board of Trade, shall, as the Board of Trade may direct, either be applied to defray Expenses, or be remitted to the said Paymaster General to be placed to the Credit of the said Mercantile Marine Fund Account; and all Investments arising from any such Tolls as aforesaid which at the Time when this Act comes into operation are in the Hands of the Commissioners of Northern Lighthouses or of the Port of *Dublin* Corporation shall be sold, and the Produce thereof shall be applied and remitted in like Manner; and all Monies so remitted shall, so far as regards the Application thereof, be treated as forming One aggregate Fund, and shall be from Time to Time transferred and applied as the Board of Trade may direct for all or any of the Purposes specified in this Act.

*Light Dues
and other
Dues on
Shipping.*

VI. Her Majesty may from Time to Time, by and with the Advice of Her Privy Council, fix the Establishments to be maintained by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively on account of the Services of Lighthouses, and to be maintained by the *Trinity House* on account of the Services to which the said Ballastage Rates are to be applied aforesaid, or the annual or other Sums to be paid out of the said Mercantile Marine Fund in respect of such Establishments; and if it appears that any Part of the Establishments of the *Trinity House*, or of the Commissioners of Northern Lighthouses, or of the Port of *Dublin* Corporation respectively is maintained for the Purposes of this Act, and also for other Purposes, to fix and from Time to Time alter the Portion of the Expense of such Establishments to be paid out of the said Mercantile Marine Fund; and no Increase of any Establishment or Part of an Establishment so fixed shall be made without the Consent of the Board of Trade.

Establish-
ments for
Light-
houses and
Ballastage
charged on
the Mercan-
tile Ma-
rine Fund
to be fixed
by Her
Majesty in
Council.

VII. The *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively shall from Time to Time submit to the Board of Trade Estimates of all Expenses in respect of the Services aforesaid, other than the Establishment Expenses for the Time being allowed by Order in Council as aforesaid; and shall also, whenever in providing

Estimates
and Ac-
counts for
other Ex-
penses to
be approv-
ed by the
Board of
Trade.

*Light Dues
and other
Dues on
Shipping.*
—

providing for any sudden Emergency it is necessary to incur Expense in respect of such Services without waiting until an Estimate can be sanctioned, as soon as possible send to the Board of Trade a full Account of such Expense ; and the Board of Trade shall consider and may approve such Estimates and Accounts, either with or without Variation.

No Ex-
pense to be
allowed
unless
sanctioned
by Board
of Trade.

VIII. No Expense of the said *Trinity House*, the Commissioners of Northern Lighthouses, or the Port of *Dublin* Corporation in respect of the said Services shall be paid out of the said Mercantile Marine Fund, or allowed in Account, other than the Sums so allowed for Establishment Expenses as aforesaid, or included in Estimates of Accounts approved by the Board of Trade.

For the
Purpose of
erecting
and repair-
ing Light-
houses,
&c., Treas-
ury may
advance
Money.

IX. For the Purpose of the Erection and Repairs of Lighthouses, and of other extraordinary Expenses connected with the said Services or any of them, the Commissioners of Her Majesty's Treasury are authorized from Time to Time, upon the Application of the Board of Trade, to advance out of the growing Produce of the Consolidated Fund of the United Kingdom such Sums of Money, upon such Terms, and at such Rate of Interest as they may think fit, and to pay the same into the said Mercantile Marine Fund Account, so nevertheless that the whole Sum for the Time being due in respect of such Advances shall never at any One Time exceed Two hundred thousand Pounds ; and upon any Advance being so made, the Sum so advanced and the Interest shall be a Charge on the said Mercantile Marine Fund, and upon the Tolls, Rates, Fees, and Payments so to be carried thereto as aforesaid ; and the Board of Trade shall make such Provision for the Repayment thereof out of the said Fund, either by forming a Sinking Fund or otherwise, as the said Commissioners may require ; provided that no such Advance shall prevent any lawful Reduction of any of the said Tolls, Rates, Fees, or Payments if such Reduction be assented to by the said Commissioners.

Power to
Board of
Trade to
borrow
Money on
the Credit
of the
Fund.

X. The Board of Trade may also, for the Purpose last aforesaid, raise Money by mortgaging the said Mercantile Marine Fund, and the several Tolls, Rates, Fees, and Payments so to be carried thereto as aforesaid, or any of them, or any Part thereof, to any Body Corporate or Person ; and every such Mortgage shall be in such Form, and under the Hand and Seal of such Person or Persons, as the President of the said Board for the Time being may direct ; and no Body Corporate or Person lending money upon any such Mortgage shall be bound to see to the Purpose for which the same is raised, or to the Mode in which it is applied.

Her Ma-
jesty may,

XI. Upon the Erection of any new Lighthouse Her Ma-
jesty

jesty may by Order in Council fix such Toll in respect thereof to be paid by the Master or Owner of every Ship which passes the same or derives Benefit therefrom as Her Majesty may deem reasonable, and may from Time to Time alter the Amount thereof; and such Toll shall be paid and collected in the same Manner, by the same Means, and subject to the same Conditions in, by, and subject to which the Lighthouse Tolls mentioned in the Act of the Seventh Year of King William the Fourth, Chapter Seventy-nine, are paid and collected.

*Light Dues
and other
Dues on
Shipping.*

—
by Order
in Council,
fix Tolls to
be taken
for new
Light-
houses.

Provision
for existing
Debts and
Charges.

XII. All Debts and Liabilities which have been duly incurred or undertaken by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively, before the passing of this Act, and which are such as if this Act had not been passed ought to have been paid out of the said Tolls and Rates, shall be paid or provided for out of the said Mercantile Marine Fund; and all Expenses of the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, in respect of any charitable or other Pensions, Superannuations, or other Allowances which have been lawfully granted or allowed by them respectively before the passing of this Act, and which are such as if this Act had not been passed ought to have been paid out of the said Tolls and Rates, shall be paid out of the said Mercantile Marine Fund during the respective Lives or Continuance in Office of the Persons receiving the same, or other Periods for which the same may have been granted or allowed; and if it appear that any Debts or Liabilities so incurred as aforesaid, or any of the Expenses in respect of charitable or other Pensions, and Superannuation or other Allowances, are Debts, Liabilities, or Expenses which if this Act had not been passed would have been paid partly out of the said Tolls and Rates and partly from other Sources, such Part thereof as the Board of Trade shall under the Circumstances of the Case think just shall be paid out of the said Mercantile Marine Fund; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively shall submit to the Board of Trade Statements of all such Debts and Liabilities, and of all such Expenses or Parts of Expenses in respect of charitable or other Pensions, Superannuations or other Allowances, as are to be paid out of the said Mercantile Marine Fund, and also Estimates of the Sums which may be from Time to Time required to provide for the same; and no Payment in respect of any such Debt, Liability, or Expense shall be made out of the said Mercantile Marine Fund unless provided for by such Estimates, and approved by the Board of Trade.

*Light Dues
and other
Dues on
Shipping.*

Power to
commute
Pensions
and grant
Superan-
nuation
Allow-
ances.

XIII. The *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation may from Time to Time, with the Sanction of the Board of Trade, commute any charitable or other Pensions or other Allowances payable out of the said Mercantile Marine Fund, or grant Superannuations or Compensations to Persons whose Salaries may be charged on the said Fund, and who may be discharged or may retire, so nevertheless that no Superannuation Allowance or Compensation to any Person so discharged or retiring shall exceed the Proportion of his Salary which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances or Compensations for the Time being in force : and such Commutations, Superannuations, and Compensations shall from Time to Time be included in the Estimates to be submitted as aforesaid, and paid out of the said Fund.

Applica-
tion of Bal-
lastage
Rates.

XIV. And whereas the Monies arising from Ballastage Rates are derived from local Sources, and it is expedient that the same should be applied for local Purposes : Be it enacted, That, subject to the Payment of such Proportion of the Debts, Liabilities, and Expenses herein-before mentioned as may in the Opinion of the Board of Trade be fairly chargeable thereon, such Monies shall be applicable only to Services performed for the Purpose of supplying Ballast to or providing for the Safety or Convenience of such Ships as navigate the said River *Thames*, and the Seas and Channels leading thereto between *Orfordness* on the North and *Dungeness* on the South : Provided that if, in addition to the Duties hitherto performed in consideration of the said Ballastage Rates, the *Trinity House*, at the Request or with the Consent of the Owners or Masters of or Agents for any Ships, undertake to place Ballast on board thereof, or to unload Ballast therefrom, they shall be entitled to charge for such additional Duties such reasonable additional Rate *per* Ton for Ballast so placed on board or unladen as Her Majesty by Order in Council may from Time to Time approve.

Light
Dues, &c.
to be re-
vised by
Her Ma-
jesty in
Council.

XV. Her Majesty may, by and with the Advice of Her Privy Council, from Time to Time, as Circumstances may appear to Her Majesty to permit, reduce all or any of the said Tolls or Rates received by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, and may also from Time to Time increase or vary any of such Tolls or Rates ; so that no Toll or Rate levied under any Authority existing at the Time of the passing of this Act be made

made to exceed the Amount which might have been demanded or received in respect thereof if this Act had not passed.

XVI. Subject to all Liabilities duly incurred or undertaken by or with the Sanction of the Board of Trade before the passing of this Act, such Part of the said Mercantile Marine Fund as arises from Fees and Payments received by the Board of Trade under the Acts herein-before mentioned in that Behalf shall be applied exclusively in or towards the Payment of Expenses duly incurred in carrying on the several Services herein-before mentioned, and for no other Purpose whatever; and it shall be lawful for the Board of Trade from Time to Time to reduce or alter the said Fees in such Manner as such Board may think fit, so that no Fee be demanded of greater Amount than could have been demanded if this Act had not passed.

XVII. The Sixty-second Section of the Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, shall be repealed; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation shall respectively account to the Board of Trade for their Receipts from the said Tolls and Rates so received by them as aforesaid, and for their Expenditure as regards Expenses paid out of the Mercantile Marine Fund, in such Form, and at such Times, and with such Details, Explanations, and Vouchers, as the Board of Trade may require, and shall, when required by the said Board, permit all Books of Accounts kept by or under their respective Direction to be inspected and examined by such Persons as the said Board may appoint for that Purpose.

XVIII. The Board of Trade shall render to the Commissioners for auditing the Public Accounts periodical Accounts of the whole of the Receipts and Expenditure of the said Mercantile Marine Fund, such Accounts to be signed and declared to by the Accountant appointed by the Board of Trade for that Purpose; and in case of Default it shall be lawful for the Commissioners of Her Majesty's Treasury to make or direct such Allowance as under the Circumstances of the Case they may think fit in respect thereof.

XIX. The Board of Trade shall as soon as practicable after the Meeting of Parliament in every Year cause the Account of the Mercantile Marine Fund for the then preceding Year to be laid before both Houses of Parliament.

XX. The Board of Trade may, upon Complaint to the Effect that any Lighthouse under the Management of the *Trinity House*, the Commissioners of Northern Lighthouses, or the Port of *Dublin* Corporation, or any Work connected therewith, is inefficient, or improperly managed, or unnecessary, authorize Persons to inspect the same; and every Person so authorized may

enter

Light Dues and other Dues on Shipping.

Fees received by the Board of Trade to be applied only in Payment for Services.

Trinity House, &c. to account for Receipt and Expenditure to the Board of Trade.

Accounts of Mercantile Marine Fund to be audited by Commissioners of Audit.

Accounts to be laid before Parliament.

Board of Trade may appoint Persons to inspect Lighthouses.

*Light Dues
and other
Dues on
Shipping.*

enter and inspect the same accordingly, and make such Inquiries in respect thereof, and of the Management thereof, as he may think fit; and all Officers and others having the Care of such Lighthouses or concerned in the Management thereof, shall furnish all such Information and Explanations in relation thereto as he may require; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, and their respective Officers, shall at all Times give to the Board of Trade all such Returns, Explanations, or Information in relation to such Lighthouses and the Management thereof, and in relation to the several Services aforesaid, as such Board may from Time to Time require.

Section 43,
of 6 & 7 W.
4. c. 79. re-
pealed, and
Trinity
House,
with Sanc-
tion of
Board of
Trade, to
make Sug-
gestions
and give
Directions
to the
other
Light-
house
Boards.

XXI. The Forty-third Section of the said Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, shall be repealed; and the *Trinity House* may, with the Sanction of the Board of Trade, exercise the Powers given to them by the Forty-second Section of the same Act, and may further, with such Sanction as aforesaid, direct the Commissioners of Northern Lighthouses and the Port of *Dublin* Corporation respectively to erect any new Lighthouse, and to continue, remove, or alter any Lighthouse on or near the Coasts and Islands within their respective Jurisdictions, in such Manner as the *Trinity House* may think fit and as the Board of Trade may approve: Provided always, that the said *Trinity House*, on making Application to the Board of Trade to give their Sanction to any Directions or Suggestions proposed by the said *Trinity House* under the said Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, or under this Act, shall give Notice to the said Commissioners or Corporation respectively of such their Application, by causing written Notice of the said Application and a Copy of the said proposed Directions or Suggestions to be left at the Office of the said Commissioners in *Edinburgh*, or at the Office of the said Corporation in *Dublin*, as the Case may be, and that after Opportunity has been afforded to the said Commissioners or Corporation respectively to submit their Observations, if they see fit, with respect to such Application to the said *Trinity House*, (a Copy of which Observations the said Commissioners and Corporation respectively may, if they see fit, transmit to the Board of Trade,) then if the said *Trinity House*, with the Concurrence of the Board of Trade, shall adhere to their said Directions or Suggestions, it shall be the Duty of the said Commissioners and Corporation respectively, and they are hereby required, to carry into effect within a reasonable Time thereafter any Directions or Suggestions proposed by the said *Trinity House* and sanctioned by the Board of Trade as aforesaid.

XXII. All

XXII. All Lighthouses and Lighthouse Tolls, and all other Fees or Payments accruing to or forming Part of the said Mercantile Marine Fund, and all Premises or Property belonging to the *Trinity House*, the Commissioners of Northern Lighthouses, the Port of *Dublin* Corporation, or the Board of Trade, which are used or applied for the Purpose of any of the Services for which such Tolls, Fees, and Payments are received, shall be exempted from all public, parochial, or local Taxes of every Kind ; and the Ships of the said *Trinity House*, Commissioners, and Corporation shall be privileged to enter or resort to all Ports, Piers, or Harbours in the United Kingdom and *Isle of Man*, without Payment of any Tolls, Dues, or Rates for the same.

Light Dues and other Dues on Shipping.

Property used for the Purpose of the said Services to be exempt from all Rates and Taxes.

XXIII. The Lands Clauses Consolidation (*Scotland*) Act, 1845, shall apply to all Lighthouses erected by the Commissioners of Northern Lighthouses under any Powers given to them by any Act or Acts of Parliament, and to any Land which by any such Act or Acts they may be empowered to purchase ; and all the Provisions of the said Lands Clauses Consolidation (*Scotland*) Act shall, so far as the same are in their Nature applicable thereto, apply to such Lighthouses and Land, and shall be construed as if the same were incorporated with the special Act or Acts by which such Powers as aforesaid are given.

Provisions of 8 & 9 Vict. c. 19. to apply to Land purchased for Lighthouses.

XXIV. No Dues, Tolls, Rates or Charges, of what Nature soever, levied or leviable, or hereafter to be levied or leviable, on any Ships, or on any Goods carried in any Ships, in any Port of *Great Britain* or *Ireland* for any Purpose whatever, shall be sold, mortgaged, or charged in any Manner or for any Purpose without the Consent of the Board of Trade first obtained, such Consent to be signified by Writing under the Hand of One of the Secretaries or Assistant Secretaries to such Board ; and any Sale, Mortgage, or Charge of any such Dues, Tolls, Rates, or Charges made after the passing of this Act without such Consent shall be absolutely void, except in the following Cases ; that is to say, in the Case of any Sale, Mortgage, or Charge of any Dues, Tolls, Rates, or Charges levied for the Use of any Dock or other Undertaking intended solely for the Benefit of Shipping, where the Monies raised by the Sale, Mortgage, or Charge are to be applied exclusively for the Purposes of the Undertaking for the Use of which such Dues, Rates, Tolls, or Charges are levied or leviable in the Case of any Mortgage or Charge made under the Authority of any Act of Parliament for the Purpose of raising Money to pay the Costs of any Work constructed or duly contracted for before the passing of this Act ; and in the Case of any Mort-

Dues levied on Ships not to be sold or charged without Consent of the Board of Trade.

gage

*Board of
Trade
Accounts.*

Sections
18. 117. &
118. of 13
& 14 Vict.
c. 93., ss.
29. & 31.
of 14 & 15
Vict. c. 96.,
and ss. 27.
28. 36. 51.
& 56. of 14
& 15 Vict.
c. 102. re-
pealed.

Penalties
under
Merchant
Seamen's
Act to be
paid into
Exche-
quer.

Mode of
dealing
with
Wages, &c.
of deceased
Seamen.

Property
belonging
to Mer-
chant Sea-
men's
Fund to
be paid
into Ex-
chequer.

gage or Charge made or continued under any Powers of re-borrowing or continuing Money on Mortgage or Bond given by any Act of Parliament for the Purposes of any Work so constructed or contracted for as aforesaid.

XXV. The Eighteenth, One hundred and seventeenth, and One hundred and Eighteenth Sections of "The Mercantile Marine Act, 1850," the Twenty-ninth and Thirty-first Sections of "The Mercantile Marine Act Amendment Act, 1851," and the Twenty-seventh, Twenty-eighth, Thirty-sixth, Fifty-first, and Fifty-sixth Sections of "The Seamen's Fund Winding-up Act, 1851," shall be repealed.

XXVI. All Penalties, Fines, and Forfeitures which under "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," "The Steam Navigation Act, 1851," and "The Seamen's Fund Winding-up Act, 1851," are made payable to the Board of Trade or as it may direct, shall, notwithstanding anything to the contrary in such Acts contained, be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

XXVII. In Cases of Wages or Effects of deceased Seamen received by the Board of Trade under "The Seamen's Fund Winding-up Act, 1851," to which no Claim is substantiated within Six Years after the Receipt thereof by such Board, it shall be in the absolute Discretion of such Board, if any subsequent Claim is made, either to allow or to refuse the same; and the Board of Trade shall from Time to Time pay any Monies arising from the unclaimed Wages and Effects of deceased Seamen, which in the Opinion of such Board it is not necessary to retain for the Purpose of satisfying Claims, into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and such Monies shall be carried to and make Part of the Consolidated Fund of the United Kingdom.

XXVIII. All Monies which under "The Seamen's Fund Winding-up Act, 1851," now are or may hereafter become Part of or applicable to the Purposes of the General Fund therein mentioned, shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct; and all Property, not being Money so forming Part of or being applicable to the Purposes of the said Fund as aforesaid, shall be sold, and the Produce thereof shall be paid into the Receipt of Her Majesty's Exchequer in like Manner; and all Monies so paid into the Receipt of Her Majesty's Exchequer shall be carried to
and

and made Part of the Consolidated Fund of the United Kingdom.

XXIX. The several Payments and Expenses which by the said "Seamen's Fund Winding-up Act, 1851," are charged partly on the said General Fund therein mentioned, and partly on the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, shall, except as regards the Payment to the Seamen's Hospital Society herein-after mentioned, be provided for by annual Votes of Parliament.

XXX. In lieu of the Payments heretofore made to the Seamen's Hospital Society under the said Seamen's Fund Winding-up Act, 1851, the Commissioners of Her Majesty's Treasury shall and they are hereby authorized, immediately on the passing of this Act, to direct the Payment to such Society, out of the Consolidated Fund of the United Kingdom, of the Sum of Two thousand three hundred and fifty-one Pounds Five Shillings; and the said Commissioners shall also, at the End of each Year, direct Payment to such Society out of the said Consolidated Fund of an annual Sum equal in Amount to the Sum paid into the Exchequer in the same Year on account of Fines or Penalties inflicted under the Twenty-second Section of the Act of the Eighth Year of Her Majesty Queen *Victoria*, Chapter One hundred and twelve, to be applied by such Society according to the Directions contained in the Act of the Third and Fourth Years of King *William the Fourth*, Chapter Nine.

XXXI. So much of the Act of the Twelfth Year of Her Majesty Queen *Victoria*, Chapter Twenty-nine, as requires every *British Ship* to be navigated by a Master who is a *British Subject* and by a Crew of whom the whole or such Proportion as therein mentioned are *British Subjects*, shall be repealed.

XXXII. Whenever any Share or Shares in any *British* registered Ship is or are transferred to any Purchaser or Purchasers, unless such Ship is thereupon registered *de novo*, each such Transferee shall make and subscribe the following Declaration; (that is to say.)

' I [or we] [*Name or Names of the Transferee or Transferees*]
' do truly declare, That I [or we] am [or are] *bonâ fide* a
' *British Subject* [or *British Subjects*]. And I [or we] do
' further truly declare, that no *Foreigner* hath directly or
' indirectly any Interest whatever in the Share [or Shares]
' within transferred to me [or us].

' Declared before me this

Day of 18 .

' Signature —————

{ Collector, Comptroller, or
Justice of the Peace, as
the Case may be.'

And

*Board of
Trade
Accounts.*

Expenses
of Mer-
chant Sea-
men's
Fund to be
provided
for by an-
nual Vote.

Gross Sum
to be paid
to Sea-
men's Hos-
pital
Society in
lieu of an-
nual Pay-
ments.

Manning.

So much of
12 & 13
Vict. c. 29.
as relates
to man-
ning, re-
pealed.

Declara-
tion to be
made by
Trans-
ferees of
British
Ships for
the Pur-
pose of
proving
themselves
to be
British
Subjects.

Manning. And each such Transferee shall, if he resides at any Port or within Five Miles of the Custom House of any Port, make and subscribe the same before the Collector or Comptroller of such Port, and if he resides elsewhere, before some Justice of the Peace; and such Declaration shall be endorsed on the Bill of Sale or other Instrument of Transfer: and no such Bill of Sale or Instrument of Transfer as aforesaid shall be registered unless such Declaration has first been duly indorsed thereon and subscribed as herein-before required.

Ships un-
duly as-
suming
British
Character
may be
seized and
brought in
for Adjudi-
cation.

XXXIII. And whereas it is expedient to prevent the undue Assumption of the *British* Flag and National Character: Be it enacted, That if any Person or Persons use the *British* Flag and assume the *British* National Character on Board any Ship, owned in whole or in part by any Persons not being entitled by Law to own *British* Ships and navigate them under *British* Colours and Papers, for the Purpose of making such Ship appear to be a *British* Ship, it shall be lawful for any Officer on Full Pay in the Naval Service of Her Majesty, or any Officer of Customs, to seize and detain such Ship on the High Seas or in any *British* Port, and to bring her for Adjudication before the High Court of Admiralty or any Vice-Admiralty Court in Her Majesty's Dominions.

If the
Simula-
tion is
proved,
the Ship
may be
con-
demned.

XXXIV. If it is made to appear to such Court by competent Evidence that such Ship has been navigated under the *British* Flag and *British* Papers, though owned in whole or in part by any Person or Persons not entitled to own *British* Ships, contrary to the true Intent and Meaning of this Act, the said Court may pronounce the said Ship to be confiscated to Her Majesty, Her Heirs and Successors.

*Volunteer-
ing into the
Navy.*

So much of
7 & 8 Vict.
c. 112. as
to Wages,
instead of
being paid
at once, to
be given
to the
Queen's
Officer on
account of
the Sea-
man, re-
pealed.

XXXV. So much of the Fifty-first Section of the Act of the Eighth Year of Her present Majesty, Chapter One hundred and Twelve, as requires the proportionate Amount of the Wages of any Seaman who quits his Ship and enters Her Majesty's Naval Service, up to the Time of such Entry, to be paid to him thereupon, shall be repealed; and in all such Cases such proportionate Amount of Wages shall be paid as follows; that is to say, the Master of the said Ship shall pay the same, either in Money or by Bill drawn upon the Owner and payable at sight, to the Officer in command of Her Majesty's Ship into which the Seaman enters: and the Receipt of such Officer shall be a Discharge for the Money or Bill so given; and if such Wages are paid in Money, such Money shall be credited in the Muster Book of the Ship to the Account of the said Seaman, and if such Wages are paid by Bill, such Bill shall be sent home to the Accountant General of Her Majesty's Navy, who shall present the same or cause the same to be presented for Payment,

Payment, and shall credit the Produce thereof to the Account of the said Seaman ; and such Money or Produce, as the Case may be, shall be paid to the said Seaman at the Time when the Wages of the Crew of the Ship into which he enters are paid ; provided that no Officer who receives any such Bill as aforesaid shall be subject to any Liability in respect thereof, except for the safe Custody thereof until sent to the said Accountant General as aforesaid ; and if any such Bill is not duly paid when presented, the Seaman on whose Behalf the same is given may sue thereon, or may recover the Wages due to him by all or any of the same Means by which Wages due to Merchant Seamen are recoverable.

Volunteering into the Navy.

XXXVI. If in consequence of any Seaman so quitting his Ship without the Consent of the Master or Owner thereof, it becomes necessary for the Safety and proper Navigation of the said Ship to engage a Substitute or Substitutes, and if the Wages or other Remuneration paid to such Substitute or Substitutes for subsequent Service exceed the Wages or Remuneration which would have been payable to the said Seaman under his Agreement for similar Service, the Master or Owner of the said Ship may apply to the Registrar of the High Court of Admiralty in *England* for a Certificate authorizing the Repayment of such Excess ; and such Application shall be in such Form, and shall be accompanied by such Documents, and by such Statements, whether on Oath or otherwise, as the Judge of the said Court may from Time to Time direct ; and the said Registrar shall upon receiving any such Application give Notice thereof in Writing, and of the Sum claimed, to the Secretary to the Commissioners of the Admiralty, and shall proceed to examine the said Application, and may call upon the Registrar General of Seamen to produce any Papers in his Possession relating thereto, and may call for further Evidence ; and if the whole of the Claim appears to him to be just, he shall give a Certificate accordingly, but if he considers that such Claim or any Part thereof is not just, he shall give Notice of such his Opinion in Writing under his Hand to the Person making the said Application or his Attorney or Agent ; and if within Sixteen Days from the giving of such Notice such Person do not leave or cause to be left at the Office of the Registrar of the said Court a written Notice demanding that the said Application shall be referred to the Judge of the said Court, then the said Registrar shall finally decide thereon, and certify accordingly ; but if such Notice be left as aforesaid, then the said Application shall stand referred to the said Judge in his Chambers, and his Decision thereon shall be final, and the said Registrar shall certify the same accordingly ; and the said

If new Seamen are engaged instead of the original Seamen, the Owner may apply for Repayment of the extra Expense he has been put to.

Application to be decided on, and Certificate for Amount given.

*Volunteer-
ing into the
Navy.*

Costs not
exceeding
5*l.* per Man
may be
given.

Account-
tant General
to pay
Sums so
certified.

Desertion.

Seamen
imprison-
ed for De-
sertion or
Breach of
Discipline
may be
sent on
board be-
fore the
Termina-
tion of the
Sentence.

*Lascar
Seamen
for Aus-
tralia.*

Contracts
may be
made with
Natives in
India un-

Registrar and Judge respectively shall in every Proceeding under this Act have full Power to administer Oaths, and to exercise all the ordinary Powers of the Court, as in any other Proceeding within its Jurisdiction; and the said Registrar or Judge (as the Case may be) may, if he thinks fit, allow, for the Costs of any Proceeding under this Act, any Sum not exceeding Five Pounds for each Seaman so quitting his Ship as aforesaid; and such Sum shall be added to the Sum allowed, and shall be certified by the said Registrar accordingly.

XXXVII. Every Certificate so given shall be sent by Post or otherwise to the Person making the Application, his Attorney or Agent, and a Copy thereof shall be sent to the Accountant General of Her Majesty's Navy; and such Accountant General shall, upon Delivery to him of the said original Certificate, together with a Receipt in Writing purporting to be a Receipt from the Master or Owner making the Application, pay to the Person delivering the same, out of the Monies applicable to the Naval Service of Her Majesty and granted by Parliament for the Purpose, the Amount mentioned in such Certificate; and such Certificate and Receipt shall absolutely discharge the said Accountant General and Her Majesty from all Liability in respect of the Monies so paid or of the said Application.

XXXVIII. If any Seaman or Apprentice is imprisoned in any Part of Her Majesty's Dominions on the Ground of his having neglected or refused to join any Ship in which he is engaged to serve, or of having deserted or otherwise absented himself therefrom without Leave, or of his having committed any other Breach of Discipline, and if during such Imprisonment, and before his Engagement is at an end, his Services are required on board his Ship, any Justice may, at the Request of the Master or of the Owner or his Agent, cause such Seaman or Apprentice to be conveyed on board his said Ship for the Purpose of proceeding on the Voyage, or to be delivered to the Master or any Mate of the Ship, or the Owner or his Agent, to be by them so conveyed, notwithstanding that the Termination of the Period for which he was sentenced to Imprisonment has not arrived.

XL. And whereas it is expedient to give Facilities for obtaining Seamen in the *Australian* Colonies: Be it enacted, That it shall be lawful for any Master of a Ship, or any Owner of a Ship or his Agent, to enter into Contracts with *Lascars* or Natives of the Territories of the *East India* Company, binding them to proceed to any Port or Ports in the *Australian* Colonies either as Seamen or as Passengers, and there to engage themselves as Seamen in any Ship bound to the United Kingdom,

dom, or to any other Part of Her Majesty's Dominions; provided that every such Contract shall be in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country and for other Purposes as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the Contract is made in Council may direct; and if any Lascar or other Person who has bound himself by any such Contract is, on arriving in any of the said Colonies, required to enter into an Agreement to serve as a Seaman in any Ship bound for the United Kingdom or to any other Part of Her Majesty's Dominions, and if it is certified by some Officer appointed for that Purpose by the Governor of the said Colony that such Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Contract, and that the Ship to which such Agreement relates is a proper Ship for such Lascar or other Person to serve in, and is properly supplied with Provisions, and that there is not in the Opinion of such Officer any Objection to the full Performance of the said Contract, such Lascar or other Person shall be bound to enter into the said Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes one of the Crew of the Ship; and if he refuses to enter into such Agreement he shall, notwithstanding such Refusal, be liable to the same Consequences, and be dealt with in all respects in the same Manner, as if he had voluntarily entered into the same; and for every Lascar or other Person in respect of whom such Certificate is applied for, the Person applying for the same shall pay to such Officer as aforesaid such Fee as the Governor of the Colony may appoint.

Lascar Seamen for Australia.

der certain Conditions binding them to go to Australia, and thence to serve in other Ships to the United Kingdom.

Salvage.

XXXIX. In Cases where Salvage Services are rendered by any Ship belonging to Her Majesty, or by the Commander or Crew thereof, no Claim shall be made or allowed for any Loss, Damage, or Risk thereby caused to such Ship, or to the Stores, Tackle, or Furniture thereof, or for the Use of any Stores or other Articles belonging to Her Majesty supplied in order to effect the Salvage Service, or for any other Expense or Loss sustained by Her Majesty by reason of such Services.

XLI. Whenever Services for which Salvage is claimed are rendered to any Ship or Cargo, or to any Part of any Ship or Cargo, or to any Appurtenances of any Ship at any Place out of the United Kingdom of *Great Britain* and *Ireland* and the Four Seas adjoining thereto, by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, the Property alleged

No Claim for Salvage Services to be allowed in respect of Loss or Risk of Her Majesty's Ships or Property.

Steps to be taken when Salvage Services have been rendered by

Salvage.
Her Majesty's Ships
abroad.

alleged to be salvaged shall, if the Salvor is justified by the Circumstances of the Case in detaining it at all, be taken to some Port where there is either a Consular Officer or Vice-Admiralty Court; and within Twenty-four Hours after arriving at such Port the said Salvor and the Master or other Person in charge of the Property alleged to be salvaged shall each deliver to the Consular Officer or Vice-Admiralty Judge there a Statement verified on Oath, specifying, so far as they respectively can, and so far as the Particulars required apply to the Case,

- a. The Place, Condition, and Circumstances in which the said Ship, Cargo, or Property was at the Time when the Services were rendered for which Salvage is claimed;
- b. The Nature and Duration of the Services rendered:

And the Salvor shall add to his Statement,

- c. The Proportion of the Value of the said Ship, Cargo, and Property, and of the Freight which he claims for Salvage, or the Values at which he estimates the said Ship, Freight, Cargo and Property respectively, and the several Amounts that he claims for Salvage in respect of the same;
- d. Any other Circumstances he thinks relevant to the said Claim:

And the said Master or other Person in charge of the said Ship, Cargo, or Property shall add to his Statement,

- c. A Copy of the Certificate of Registry of the said Ship, and of the Indorsements thereon, stating any Change which (to his Knowledge or Belief) has occurred in the Particulars contained in such Certificate;
- d. The Name and Place of Business or Residence of the Freighter (if any) of the said Ship, and the Freight to be paid for the Voyage she is then on;
- e. A general Account of the Quantity and Nature of the Cargo at the Time the Salvage Services were rendered;
- f. The Name and Place of Business or Residence of the Owner of such Cargo and of the Consignee thereof;
- g. The Values at which the said Master estimates the said Ship, Cargo, and Property, and the Freight respectively, or, if he thinks fit, in lieu of such estimated Value of the Cargo, a Copy of the Ship's Manifest;
- h. The Amounts which the Master thinks should be paid as Salvage for the Services rendered;
- i. An accurate List of the Property saved, in Cases where the Ship is not saved;
- j. An Account of the Proceeds of the Sale of the said Ship, Cargo, or Property, in Cases where the same or any of them are sold at such Port as aforesaid;

k. The

- l.* The Number, Capacities, and Condition of the Crew of the said Ship at the Time the said Services were rendered ;
- l.* Any other Circumstances he thinks relevant to the Matters in question ;
- m.* A Statement of his Willingness to execute a Bond, in the Form in the Schedule hereto annexed, in such Amount as the said Consular Officer or Vice-Admiralty Judge shall fix.

XLII. The said Consular Officer or Vice-Admiralty Judge, as the Case may be, shall, within Four Days after receiving the aforesaid Statements, fix the Amount to be inserted in the said Bond at such Sum as he shall to the best of his Judgment think to be sufficient to answer the Demand for the Salvage Services rendered, but so that such Sum shall never exceed One Half of the Value which he puts upon the said Ship, Freight, and Cargo, or those of them or the Parts thereof in respect of which Salvage is claimed ; and the said Consular Officer or Judge may, if either of the aforesaid Statements is not delivered to him within the Time hereby required, proceed *ex parte* ; but he shall in no Case under this Act require the Cargo to be unladen ; and the said Consular Officer may in any Proceeding under this Act relating to Salvage take Affidavits and receive Affirmations.

XLIII. The said Consular Officer or Judge shall send Notice of the Sum which he has so fixed as aforesaid to the said Salvor and the said Master or other Person in charge as aforesaid ; and upon such Master or other Person executing a Bond in the Form in the Schedule hereto annexed, with the said Sum inserted therein, in the Presence of the said Consul or Judge (who shall attest the same), and delivering the same to the said Salvor, the Right of the said Salvor to detain or retain Possession of the said Ship, Cargo, or Property, or any of them, in respect of the said Salvage Claim, shall cease.

XLIV. Provided, That if the Ship, Cargo, or Property in respect of which the Claim for Salvage is made, is not owned by Persons domiciled in Her Majesty's Dominions, the Right of the Salvor to detain or retain Possession thereof shall not cease unless the Master or other Person in charge thereof procures, in addition to the said Bond, such Security for the due Performance of the Conditions thereof as the said Officer or Judge considers sufficient for the Purpose, and places the same in the Possession or Custody of the said Officer or Judge, or, if the Salvor so desires, in the Possession or Custody of the said Officer or Judge jointly with any other Person whom the said Salvor may appoint for the Purpose.

Consular Officer or Judge to fix Amount for which a Bond is to be given,

and to send Notice thereof to the Master.

On Master executing Bond, the Right of Detention to cease.

Provision for additional Security in the Case of Ships owned by Persons resident out of Her Majesty's Dominions.

XLV. The

Salvage.

Docu-
ments
to be sent
to Eng-
land.

XLV. The said Consular Officer or Judge shall at the earliest Opportunity transmit the said Statements and Documents so sent to him as aforesaid, and a Notice of the Sum he has so fixed as aforesaid, to the High Court of Admiralty of *England*, or if the said Salvor and the said Master or other Person in charge as aforesaid agree that the said Bond shall be adjudicated upon by any Vice-Admiralty Court, to such Court.

Whom the
Bond shall
bind.

XLVI. The said Bond shall bind the respective Owners of the said Ship, Freight, and Cargo, and their respective Heirs, Executors, and Administrators, for the Salvage adjudged to be payable in respect of the said Ship, Freight, and Cargo respectively.

Court in
which it is
to be adju-
dicated on.

XLVII. The said Bond shall be adjudicated on and enforced by the High Court of Admiralty in *England*, or if the said Salvor and Master or other Person at the Time of the Execution of the said Bond agree upon any Vice-Admiralty Court, then by such Vice-Admiralty Court; and any such Vice-Admiralty Court shall and may, in every Proceeding under this Act, have and exercise all and singular the Powers and Authorities whatsoever which the said High Court of Admiralty now has or at any Time may have in any Proceeding whatsoever before it: and in Cases where any Security for the due Performance of the Conditions of the said Bond has been placed in the Possession or Custody of the said Consular Officer or Vice-Admiralty Judge, or of such Officer or Judge jointly with any other Person, they shall respectively deal with the said Security in such Manner as the Court which adjudicates on the Bond may direct.

Power of
High
Court of
Admiralty
to enforce
Bonds.

XLVIII. The said High Court of Admiralty shall have Power to enforce any Bond given in pursuance of this Act in any Vice-Admiralty Court in any Part of Her Majesty's Dominions; and all Courts in *Scotland*, *Ireland*, and the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man* exercising Admiralty Jurisdiction shall upon Application aid and assist the High Court of Admiralty in enforcing the said Bonds.

Saving
Clause.

XLIX. Any such Salvor as aforesaid of any Ship, Cargo, or Property who may elect not to proceed under this Act, shall have no Power to detain the said Ship, Cargo, or Property, but may proceed otherwise for the Enforcement of his Salvage Claim as if this Act had not been passed; and nothing in this Act contained shall abridge or affect the Rights of Salvors, except in the Cases by it provided for.

Voluntary
Agree-
ments may
be made

L. Whenever Services for which Salvage is claimed are rendered either by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, or of any other Ship, and
the

the Salvor voluntarily agrees to abandon his Lien upon the Ship, Cargo, and Property alleged to be salvaged, upon the Master or other Person in charge thereof entering into a written Agreement, attested by Two Witnesses, to abide the Decision of the said High Court of Admiralty or of any Vice-Admiralty Court, and thereby giving Security in that Behalf to such Amount as may be agreed on by the Parties to the said Agreement, such Agreement shall bind the said Ship and the said Cargo and the Freight payable therefor respectively, and the respective Owners of the said Ship, Freight, and Cargo for the Time being, and their respective Heirs, Executors, and Administrators, for the Salvage which may be adjudged to be payable in respect of the said Ship, Cargo, and Freight respectively to the Extent of the Security so given as aforesaid, and may be adjudicated upon and enforced in the same Manner as the Bonds above mentioned; and upon such Agreement being made, the Salvor and the Master or other Person in charge as aforesaid shall respectively make such Statements as are herein-before required to be made by them in Case of a Bond being given, except that such Statements need not be made upon Oath; and the Salvor shall, as soon as practicable, transmit the said Agreement and the said Statements to the Court in which the said Agreement is to be adjudicated upon.

Salvage.
—
which shall have the same Effect as the Bonds above mentioned.

LI. All Bonds, Statements, Agreements, and other Documents made or executed in pursuance of such Parts of this Act as relate to Salvage shall, if so made or executed out of the United Kingdom, be exempt from Stamp Duty, and shall be received in Evidence, though unstamped.

Documents free from Duty.

LII. Every Person who, in making or supporting any such Application as aforesaid to the Registrar of the High Court of Admiralty, or who in any Proceeding under this Act in respect of Salvage, fraudulently forges, alters, or procures to be forged or altered, any Document, and every Person who in making or supporting any such Application or in any such Proceeding puts off or makes use of any such forged or altered Document, or who in making or supporting any such Application or in any such Proceeding gives or makes or procures to be given or made, or assists in giving or making or procuring to be given or made, any false Evidence or Representation, knowing the same to be false, or who in any such Declaration as herein-before required upon the Purchase of any Share or Shares in any Ship makes any false Statement or Representation, shall be punishable with Imprisonment, with or without Hard Labour, for a Period not exceeding Two Years, or, if summarily prosecuted and convicted, by Imprisonment, with

Penal
Clauses.
—
Punishment for Forgery and false Representations.

or

*Penal
Clauses.*

or without Hard Labour, for a Period not exceeding Six Months.

*Mode of
Procedure
in Criminal
Cases.*

LIII. All Criminal Proceedings under this Act shall be carried on in the same Manner as similar Proceedings under the said Mercantile Marine Act, 1850, and all Rules of Law, Practice, and Evidence which are applicable to such last-mentioned Proceedings shall be applicable to Criminal Proceedings under this Act.

*Procedure
in Scot-
land under
Merchant
Service
Acts.*

All Offences under
7 & 8 Vict.
c. 112.
8 & 9 Vict.
c. 116.
13 & 14
Vict. c. 93.
14 & 15
Vict. c. 96.
14 & 15
Vict. c. 79.
14 & 15
Vict. c.
103, pun-
ishable as
Misde-
meanors.

LIV. All Offences which by the Act of the Eighth Year of Her present Majesty, Chapter One hundred and twelve, the Act of the Ninth Year of Her present Majesty, Chapter One hundred and sixteen, "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," "The Steam Navigation Act, 1851," "The Seamen's Fund Winding-up Act, 1851," or this Act, are described as Misdemeanors, or are made punishable by Imprisonment for Periods exceeding Six Months, may, in *Scotland*, be prosecuted by Indictment or Criminal Letters at the Instance of Her Majesty's Advocate before the High Court of Justiciary, or by Criminal Libel at the Instance of the Procurator Fiscal of the County before the Sheriff, and shall be punishable with Fine and with Imprisonment with or without Hard Labour in default of Payment, or with Imprisonment with or without Hard Labour, or with both, as the Court may think fit; and such Court may also, if it think fit, order Payment by the Offender of the Costs and Expenses of the Prosecution: Provided always, that nothing herein contained shall be held or construed to extend to the Prosecution of Offences punishable by Transportation.

*Summary
Proceed-
ings.*

LV. All Prosecutions, Complaints, Actions, or Proceedings, whether of a criminal or civil Nature, under any of the said last-mentioned Acts, other than Prosecutions for Offences described as Misdemeanors or punishable by Transportation, may be brought in a summary Form before the Sheriff of the County, or before any Two Justices of the Peace of the County or Burgh where the Cause of such Prosecution or Action arises, or where the Offender or Defender may be for the Time.

*Penalties
how to be
sued for.*

LVI. All Penalties imposed by the said Acts may be sued for and recovered, with the Costs of Prosecution, before the Sheriff or any Two Justices as aforesaid, at the Instance of the Party to whom such Penalty is made payable in whole or in Part, with Concurrence of the Procurator Fiscal of Court, or at the Instance of the Procurator Fiscal of Court where such Penalty is not made payable either in whole or in Part to any private Party.

*Form of
Complaint,
&c.*

LVII. All Prosecutions, Complaints, Actions, or other Proceedings

ceedings under the said Act may be brought either in a written or printed Form, or partly written and partly printed, and where such Proceedings are brought in a summary Form it shall not be necessary in the Complaint to recite or set forth the Clause or Clauses of the Act on which such Proceeding is founded, but it shall be sufficient to specify or refer to such Clause or Clauses, and to set forth shortly the Cause of Complaint or Action, and the Remedy sought; and when such Complaint or Action is brought in whole or in part for the Enforcement of a pecuniary Debt or Demand, the Complaint may contain a Prayer for Warrant to arrest upon the Dependence.

*Procedure
in
Scotland.*

LVIII. On any Complaint or other Proceeding brought in a summary Form under the said Acts being presented to the Sheriff Clerk or Clerk of the Peace, he shall grant Warrant to cite the Defender to appear personally before the said Sheriff or Justices of the Peace on a Day fixed, not less than Three Days after a Copy of the Complaint or other Proceeding has been served upon him, and at the same Time shall appoint a Copy of the same to be delivered to him by a Sheriff Officer or Constable, as the Case may be, along with the Citation; and such Deliverance shall also contain a Warrant for citing Witnesses and Havers to compare at the same Time and Place, to give Evidence and produce such Writs as may be specified in their Citation; and where such Warrant has been prayed for in the Complaint or other Proceeding, the Deliverance of the Sheriff Clerk or Clerk of the Peace shall also contain Warrant to arrest upon the Dependence in common Form: Provided always, that Service made on any Party or Witness by leaving a Copy of Citation for him on board of any Ship to which he may belong shall be of equal Force and Effect as Service made at his Dwelling House.

*Mode of
requiring
Appear-
ance of
Defender
and Wit-
nesses.*

LIX. When it shall become necessary to execute such Arrestment on the Dependence against Goods or Effects of the Defender within *Scotland*, but not locally situated within the Jurisdiction of the Sheriff or Justices of the Peace by whom the Warrant to arrest has been granted, it shall be competent to carry the Warrant into execution on its being endorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh respectively within which such Warrant comes to be executed.

*Backing
Arrest-
ments.*

LX. That in all Proceedings under the said Acts the Sheriff or Justices of the Peace shall have the same Power of compelling Attendance of Witnesses and Havers as in Cases falling under their ordinary Jurisdiction.

*Compel-
ling Atten-
dance of
Witnesses.*

LXI. The whole Procedure in Cases brought in a summary

*Proceed-
ings to be
vivâ voce.*

Form

*Procedure
in
Scotland.*

Form before the Sheriff or Justices of the Peace shall be conducted *viva voce*, without written Pleadings and without taking down the Evidence in Writing, and no Record shall be kept of the Proceedings other than the Complaint and the Sentence or Decree pronounced thereon.

Power to
adjourn.

LXII. It shall be in the Power of the Sheriff or Justices of the Peace to adjourn the Proceedings from Time to Time to any Day or Days to be fixed by them, in the event of Absence of Witnesses or of any other Cause which shall appear to them to render such Adjournment necessary.

Sentence
to be in
Writing.

LXIII. All Sentences and Decrees to be pronounced by the Sheriff or Justices of the Peace upon such summary Complaints shall be in Writing; and where there is a Decree for Payment of any Sum or Sums of Money against a Defender, such Decree shall contain Warrant for Arrestment, Poinding, and Imprisonment in default of Payment, such Arrestment, Poinding, or Imprisonment to be carried into effect by Sheriff's Officers or Constables, as the Case may be, in the same Manner as in Cases arising under the ordinary Jurisdiction of the Sheriff or Justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the Fifth and Sixth Years of William the Fourth, intituled *An Act for abolishing, in Scotland, Imprisonment for Civil Debts of small Amount.*

Imprison-
ment to be
inflicted in
default of
Payment.

5 & 6 W. 4.
c. 70.

Sentence,
Penalties,
&c., in de-
fault of
Defender's
Appear-
ance.

LXIV. In all summary Complaints and Proceedings for Recovery of any Penalty or Sum of Money, if a Defender who has been duly cited shall not appear at the Time and Place required by the Citation, he shall be held as confessed, and Sentence or Decree shall be pronounced against him in Terms of the Complaint, with such Costs and Expenses as to the Court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such Decree at any Time before the same be fully implemented, by lodging with the Clerk of Court a Reponing Note, and consigning in his Hands the Sum decreed for and the Costs which had been awarded by the Court, and on the same Day delivering or transmitting through the Post to the Pursuer or his Agent a Copy of such Reponing Note; and a Certificate by the Clerk of Court of such Note having been lodged shall operate as a Sist of Diligence till the Cause shall have been reheard and finally disposed of, which shall be on the next Sitting of the Court, or on any Day to which the Court shall then adjourn it.

Warrant
to appre-
hend in de-
fault of Ap-
pearance.

LXV. In all summary Complaints or other Proceedings not brought for the Recovery of any Penalty or Sum of Money, if a Defender, being duly cited, shall fail to appear, the Sheriff

or Justices may grant Warrant to apprehend and bring him before the Court. *Procedure in Scotland.*

LXVI. In all Cases where Sentences or Decrees of the Sheriff or Justices require to be enforced within *Scotland* but beyond the Jurisdiction of the Sheriff or Justices by whom such Sentences or Decrees have been pronounced, it shall be competent to carry the same into execution, upon the same being endorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh within which such Execution is to take place. *Backing Sentences or Decrees.*

LXVII. No Order, Decree, or Sentence pronounced by any Sheriff or Justice of the Peace under the Authority of this Act shall be quashed or vacated for any Misnomer, Informality, or Defect of Form; and all Orders, Decrees, and Sentences so pronounced shall be final and conclusive, and not subject to Suspension, Advocation, Reduction, or to any Form of Review or Stay of Execution, except on the Ground of Corruption or Malice on the Part of the Sheriff or Justices, in which Case the Suspension, Advocation, or Reduction must be brought within Fourteen Days of the Date of the Order, Decree, or Sentence complained of: Provided always, that no Stay of Execution shall be competent to the Effect of preventing immediate Execution of such Order, Decree, or Sentence. *Orders not to be quashed for Want of Form; and to be final.*

LXVIII. Such of the general Provisions with respect to Procedure and Penalties contained in the said last-mentioned Acts as are not inconsistent with the special Rules hereinbefore laid down for the Conduct of Legal Proceedings and the Recovery of Penalties in *Scotland*, shall, so far as the same are applicable, extend to such last-mentioned Proceedings and Penalties. *General Rules, so far as applicable, to extend to Penalties and Proceedings in Scotland.*

The SCHEDULE referred to in the foregoing Act.

BOND IN PURSUANCE OF "THE MERCHANT SHIPPING LAW AMENDMENT ACT, 1853."

[N.B.—Any of the Particulars not known, or not required, by reason of the Claim being only against the Cargo, &c., may be omitted].

WHEREAS certain Salvage Services are alleged to have been rendered by the Ship [*insert Names of Ship and of Commander*], Commander, to the Merchant Ship [*insert Names of*

of Ship and Master], Master, belonging to [*Name and Place of Business or Residence of Owner of Ship*], freighted by [*the same of the Freighter*], and to the Cargo therein, consisting of [*state very shortly the Descriptions and Quantities of the Goods and the Names and Addresses of their Owners and Consignees*]:

And whereas the said Ship and Cargo have been brought into the Port of [*insert Name and Situation of Port*], and a Statement of the Salvage Claim has been sent to [*insert the Name of the Consular Officer or Vice-Admiralty Judge and of the Office he fills*], and he has fixed the Amount to be inserted in this Bond at the Sum of [*state the Sum*]:

Now I, the said [*Master's Name*], do hereby, in pursuance of the above-mentioned Act, bind the several Owners for the Time being of the said Ship and of the Cargo therein, and of the Freight payable in respect of such Cargo, and their respective Heirs, Executors, and Administrators, to pay among them such Sum not exceeding the said Sum of [*state the Sum fixed*], in such Proportions and to such Persons as [*if the Parties agree on any other Court, substitute the Name of it here*] the High Court of Admiralty in England shall adjudge to be payable as Salvage for the Services so alleged to have been rendered as aforesaid.

In witness whereof I have hereunto set my Hand and Seal this [*insert the Date*] Day of

Signed, sealed, and delivered by the said [*Master's Name*].
(L.S.)

In the Presence of [*Name of Consular Officer or Vice-Admiralty Judge, and of the Office he fills.*]

CAP. CXXXII.

An Act to extend the Provisions of an Act of the present Session for redeeming or commuting the Annuity payable to the South Sea Company and certain Annuities of Three Pounds per Centum per Annum, and to provide for Payments to be made under the said Act.—[20th August 1853.]

CAP. CXXXIII.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom,

dom, and to amend the Law in relation to the Militia in England.—[20th August 1853.]

CAP. CXXXIV.

An Act to amend the Laws concerning the Burial of the Dead in England beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis.—[20th August 1853.]

CAP. CXXXV.

An Act to continue certain Turnpike Acts in Great Britain, and to make further Provisions concerning Turnpike Roads in England.—[20th August 1853.]

CAP. CXXXVI.

An Act for enabling Grand Juries in Ireland to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money.—[20th August 1853.]

CAP. CXXXVII.

An Act for the better Administration of Charitable Trusts.—[20th August 1853.] (England.)

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED,

Passed in the FIRST Session of the EIGHTEENTH Parliament of the United Kingdom of *Great Britain and Ireland*.

16° & 17° VICT.

- i. **A**N Act to consolidate the Stock and Powers of the Corporation of "The *London Assurance* of Houses and Goods from Fire" with the Stock and Powers of the Corporation of the "The *London Assurance*," and to confer on the last-named Corporation the Powers of "The *London Assurance Loan Company*," and to give additional Powers to "The *London Assurance*."
- ii. An Act for lighting with Gas the Town of *Dudley* and the Suburbs thereof.
- iii. An Act to enable the *Sunderland* Corporation Gas Company to raise a further Sum of Money; and to amend and enlarge the Provisions of the Act relating to such Company.
- iv. An Act to amend the Act relating to the *Whittel Dean* Water Company, and to enable such Company to maintain additional Works, for better supplying with Water the Inhabitants of the Boroughs of *Newcastle-upon-Tyne* and *Gateshead*, and certain Places adjacent and near thereto, in the Counties of *Northumberland* and *Durham*.
- v. An Act for better supplying the Inhabitants of *Bangor* with Water.
- vi. An Act to enable the *Redruth* and *Chasewater* Railway Company to construct new Works; and for other Purposes.
- vii. An Act to authorize the *Bristol* Waterworks Company to raise an additional Sum of Money by Loan; and for further amending "The *Bristol* Waterworks Act, 1846."
- viii. An Act for incorporating the *Ormskirk* Gaslight Company.
- ix. An Act to enable the Mayor, Aldermen, and Burgesses of the

- the Borough of *Carmarthen* to provide and maintain a new Cattle Market Place and Slaughter-houses, to amend the Act for regulating the existing Markets in the said Borough, and for other Purposes.
- x. An Act for the more equal Division of the Borough of *Cork* into Wards, and to provide for the better Constitution and Regulation of the Municipal Corporation of the said Borough; and for other Purposes.
- xi. An Act for lighting with Gas the Town of *Nottingham*, and certain Parishes and Places adjacent thereto.
- xii. An Act for increasing the Capital and extending the Powers of the *Devonport* Gas and Coke Company, and for other Purposes.
- xiii. An Act to repeal the *Preston* Gas Company's Act, passed in the Second Year of the Reign of *Queen Victoria*, and to make other Provisions in lieu thereof.
- xiv. An Act to amend "The *Norfolk* Estuary Act, 1846," and "The *Norfolk* Estuary Amendment Act, 1849."
- xv. An Act for constructing and maintaining a Pier at *Great Yarmouth*, in the County of *Norfolk*, to be called "The *Great Yarmouth Wellington Pier*."
- xvi. An Act for empowering the Mayor, Aldermen, and Burgesses of the Borough of *Evesham* in the County of *Worcester* to build and maintain a Bridge over the River *Avon* in the said Borough; and for other Purposes.
- xvii. An Act for supplying the Inhabitants of the Town of *Great Yarmouth* and adjacent Places with Water.
- xviii. An Act for providing Waterworks and Gasworks for the Town of *Lowestoft* in the County of *Suffolk*, and for regulating the Market there, and for other Purposes, of which the Short Title is "The *Lowestoft* Water, Gas, and Market Act, 1853."
- xix. An Act to amend the Acts relating to the *Dublin and Belfast Junction* Railway Company, and for other Purposes.
- xx. An Act to enable the *Crystal Palace* Company to divert certain Roads and to purchase Lands; and for other Purposes relating to the Company.
- xxi. An Act for amending the Provisions of certain Acts of Parliament relating to the Civil Court of Record of the Borough of *Liverpool*, and the Process, Practice, and Mode of Pleading in the said Court, and for extending the Jurisdiction thereof.
- xxii. An Act for enabling the Company of Proprietors of the *Sheffield* Waterworks to extend their Works, and to obtain a further Supply of Water from the Rivers *Rivelin* and *Loxley*

- Loxley* and their Tributaries, and for consolidating the Acts relating to such Company.
- xxiii. An Act for supplying the Inhabitants of the University and Borough of *Cambridge* and other Places adjoining thereto with Water.
- xxiv. An Act for repealing an Act called "The *Cardiff* Waterworks Act, 1850," and granting other Powers in lieu thereof; and for authorizing the *Cardiff* Waterworks Company to raise further Money.
- xxv. An Act for better supplying with Water the Parishes of *Brighton, Hove, and Preston* in the County of *Sussex*.
- xxvi. An Act for amending the Provisions of existing Local Acts relating to the Borough of *Stockport*.
- xxvii. An Act for discharging the Inhabitants of the Townships of *Wakefield, Alverthorpe-with-Thornes, Horbury, Stanley-with-Wrenthorpe, Sandal Magna, and Crigglestone*, in the Parishes of *Wakefield* and *Sandal Magna* in the West Riding of the County of *York*, from the Custom of grinding Corn, Grain, and Malt at certain Corn Mills in the said Townships of *Wakefield* and *Horbury* and Parish of *Sandal Magna*, and for making Compensation to the Proprietors of the said Mills.
- xxviii. An Act for the further Improvement of the Borough of *Wolverhampton*, and for regulating the Markets therein, and for other Purposes.
- xxix. An Act for better lighting, watching, and otherwise improving the Town of *Blackpool* and the rest of the Township of *Layton* with *Warbrick* in the County Palatine of *Lancaster*, and for other Purposes, and of which the Short Title is "The *Blackpool* Improvement Act, 1853."
- xxx. An Act for the Improvement and Regulation of the Borough of *Great Grimsby* in the County of *Lincoln*; for better supplying the Inhabitants thereof with Water; for providing a new Burial Ground; for enlarging the Market Place; for making an Outfall for the Sewers of the Town; and for other Purposes.
- xxxi. An Act for supplying with Water several Townships and Places in the Parishes of *Whalley, Bury, Radcliffe, Prestwich-cum-Oldham, and Bolton-le-Moors* in *Lancashire*; and for incorporating the *Bury and Radcliffe* Waterworks Company.
- xxxii. An Act for the Extension of the Boundaries of the Municipal Borough of *Salford* and otherwise improving the said Borough, and for other Purposes.
- xxxiii. An Act to empower the *Midland* Railway Company to create new Shares or to grant Annuities for the Extinction
- guishment

guishment of their Debenture Debt ; and for other Purposes.

xxxiv. An Act to enable the *Scottish Central Railway Company* to convert their Mortgage and Bond Debt into Debenture Stock.

xxxv. An Act for making a Road or Street from the South End of *Waverley Bridge Road*, adjoining the General Railway Station at *Princes Street*, to the *High Street* in the City of *Edinburgh*.

xxxvi. An Act for the Maintenance and Regulation of the Harbour of *Teignmouth* and the Navigation of the River *Teign*, and for other Purposes.

xxxvii. An Act for making a Canal from the *Francis Dock*, connected with the Duke of *Bridgewater's* Canal at *Runcorn* in the County of *Chester*, to join the *Weston Canal* or River *Weaver* Navigation at or near *Weston Point* in the same Parish, and to be called the *Runcorn and Weston Canal*.

xxxviii. An Act to alter and amend the Provisions of "The City of *Norwich* Waterworks Act, 1850," and to grant further Powers to the Company thereby incorporated.

xxxix. An Act for establishing a Corn Exchange and regulating the Markets in the Borough of *Reading*, and for other Purposes, and of which the Short Title is "*The Reading Corporation Markets Act, 1853.*"

xl. An Act to increase the Capital and extend the Powers of *Price's Patent Candle Company*, and to consolidate the Acts relating to the Company.

xli. An Act for making a Railway from *Chichester* to *Bognor*.

xlii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* in the County Palatine of *Lancaster* to purchase and maintain Gasworks and Waterworks ; and for other Purposes.

xliii. An Act for enabling the *Shipley Gaslight Company* to raise a further Sum of Money, and for extending the Limits of their existing Act to the adjoining Township of *Baildon*.

xliv. An Act to extend the Limits of the *Blackburn Gaslight Company's* Act for the Supply of Gas, and to authorize the raising of a further Sum of Money, and for other Purposes.

xlv. An Act to consolidate the Acts relating to the *Leeds Gaslight Company*, to authorize the Company to raise a further Sum of Money, and for other Purposes.

xlvi. An Act for incorporating the *Madras Railway Company*, and for other Purposes connected therewith.

xlvii. An Act for making certain Improvements in the River *Severn*, and for amending the Acts relating thereto.

- xlvi. An Act for better supplying with Water the Borough of *Preston* in the County of *Lancaster*, and for authorizing the Local Board of Health for the Borough of *Preston* aforesaid to purchase the *Preston* Waterworks.
- xlix. An Act to enable the *Edinburgh* Water Company to raise a further Sum of Money; and for other Purposes.
- i. An Act to enable the *Dundee* Water Company to construct additional Works for obtaining a further Supply of Water; and for other Purposes.
- ii. An Act to authorize the *Wakefield* Borough Market Company to raise a further Sum of Money.
- iii. An Act to authorize the Creation of Preference Stock by the *Manchester, Sheffield, and Lincolnshire* Railway Company in lieu of Debentures, and the Reduction, Division, and Consolidation into Stock of the *Manchester and Lincoln Union* Shares of the said Railway.
- liii. An Act to repeal the Act for maintaining the Turnpike Road leading out of the *Alston* Turnpike Road at *Branch End* in the County of *Northumberland*, through *Catton*, *Allendale Town*, and *Alnheads*, to *Coxs Hill* in the County of *Durham*, and to make other Provisions in lieu thereof.
- liv. An Act for making a Railway from *Lough Swilly* in the County of *Donegal* to the River *Foyle* near the City of *Londonderry*.
- lv. An Act to renew the Term and continue the Powers of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads leading from Picks Hill near the Town of Langport Eastover in the County of Somerset, through High Ham, Ashecott, and other Places, to Meare in the said County*.
- lvi. An Act to enable the Mayor, Aldermen, and Citizens of the City of *York* to purchase the Undertaking of the *Foss* Navigation Company, and to execute Works for the sanitary Improvement of the said City; to alter the Tolls taken in the Cattle Markets and Fairs of the City; and for other Purposes.
- lvii. An Act to extend and amend the Powers and Provisions of the "*Portadown and Dungannon* Railway Act, 1847."
- lviii. An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company, and to alter the Capital of the said Company.
- lix. An Act for better supplying with Water the Town or Village

Village of *Bacup* and the Neighbourhood thereof in *Lancashire*.

- lx. An Act to amend the Acts relating to the *Great Northern* Railway Company, to authorize an increase of Capital, and for other Purposes.
- lxi. An Act to consolidate and amend Three several Acts passed in the Reign of King *George* the Third, for draining and preserving certain Fen Lands and Low Grounds lying in the *South Level*, Part of the Great Level of the Fens commonly called *Bedford Level*, and in the County of *Cambridge*, between the River *Cam* otherwise *Grant*, West, and the Hard Lands of *Bottisham*, *Swaffham-Bulbeck*, and *Swaffham Prior*, East; and for other Purposes therein mentioned.
- lxii. An Act for more effectually repairing the Road from *Gravesend* to *Wrotham*, and from thence to *Borough Green*, all in the County of *Kent*.
- lxiii. An Act for making a Railway from *Dartford* in the County of *Kent* to *Farningham* in the same County, to be called the *Darenth Valley* Railway; and for other Purposes.
- lxiv. An Act for constructing a Market for the Sale of Cattle and other Animals in the Borough of *Ludlow* in the County of *Salop*.
- lxv. An Act to amend the Acts relating to the Drainage and Embankment of certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*.
- lxvi. An Act for supplying with Water the Town of *Weston-super-Mare* in the County of *Somerset*.
- lxvii. An Act for supplying the Borough of *Wigan* in the County Palatine of *Lancaster* with Water, for the better Regulation of the Police therein; and for other Purposes.
- lxviii. An Act to enable the *Belfast and Ballymena* Railway Company to make a Railway from *Randelstown* to *Cookstown*; and for other Purposes.
- lxix. An Act for enabling the *North and South Western Junction* Railway Company to construct a Branch to near *Hammersmith*, and to raise additional Capital; and for other Purposes.
- lxx. An Act to authorize the Abandonment of a Portion of the Undertaking of the *Thames Haven* Dock and Railway Company, and to reduce the Capital of the said Company, and to enable the Company to sell Lands not required; and for other Purposes.
- lxxi. An Act for more effectually repairing the Roads from *Warminster* and from *Frome* to the *Bath* Road, and other Roads connected therewith, in the Counties of *Wilts* and

and *Somerset*, called or known by the name of "The *Black Dog Road Trust*."

lxxii. An Act for enlarging and improving the Shire Hall of the County of *Stafford*; removing the Markets at the Back of the Hall, and providing other Market Accommodation in lieu thereof; erecting Rooms and Offices for the Town Council of *Stafford*; and for other Purposes.

lxxiii. An Act to amend the Acts for the Regulation of Municipal Corporations in *Ireland* so far as relates to the Burgh of *Limerick*.

lxxiv. An Act to amend and extend the Provisions of the Act relating to the *Leeds* and *Whitehall* Turnpike Roads, and to create a further Term therein, and for other Purposes.

lxxv. An Act for repairing, maintaining, and rendering more safe certain Reservoirs on the *Adel Beck* in the West Riding of the County of *York*.

lxxvi. An Act to amend "The *Sunderland Dock Act, 1846*," and "The *Sunderland Dock Amendment Act, 1849*," and for other Purposes.

lxxvii. An Act for the Establishment or Improvement and Regulation of Markets and Fairs in the Borough of *Leominster*, and for other Purposes relating to the said Borough.

lxxviii. An Act for making a Railway from the *Harwick* Branch of the *North British* Railway, near to the *Eskbank* Station, to the Royal Burgh of *Peebles*.

lxxix. An Act to authorize an Extension of the *Londonderry and Coleraine* Railway.

lxxx. An Act for making a Railway from *Ballymena* to *Portrush*.

lxxxi. An Act to confirm certain Preference Shares created by the *North British* Railway Company, and to make better Provision for the Payment of the Debts of the said Company; and for other Purposes.

lxxxii. An Act to enable the *Scottish Midland Junction* Railway Company to make Branch Railways to *Blairgowrie* and *Kirriemuir*; and to amend the Acts relating to such Company; and for other Purposes.

lxxxiii. An Act for the better Improvement and Regulation of the Borough of *South Shields* in the County of *Durham*, the Establishment of a Cemetery therein, and for other Purposes.

lxxxiv. An Act to unite into one Company the *Bristol* Gaslight Company and the *Bristol* and *Clifton* Gaslight Company, and to enable the united Companies to raise further Capital.

lxxxv. An

- lxxxv. An Act for making a Railway from *Staines* to *Wokingham* and *Woking*.
- lxxxvi. An Act for making a Railway from *Wimbledon* to *Croydon* in the County of *Surrey*, to be called "The *Wimbledon and Croydon* Railway," and for other Purposes.
- lxxxvii. An Act to enable the *Eastern Counties* Railway Company to construct a Railway from the Line of the *Northern and Eastern* Railway near *Stratford* to *Woodford* and *Loughton*; and to repeal certain Provisions of their existing Acts; and to grant further Powers to the said Company for capitalizing their Debt; and for other Purposes.
- lxxxviii. An Act for making a Railway from the *London, Brighton, and South Coast* Railway to or near to the Town of *East Grinstead* in the County of *Sussex*.
- lxxxix. An Act for better supplying with Water the Towns and Villages of *Haslingden*, *Rawtenstall*, and *Newchurch* and the Townships of *Haslingden*, *Higher Booths*, *Lower Booths*, *Newchurch*, and *Hapton*, in the Parish of *Whalley*, the Townships of *Coupe Lench*, *Newhall Hey*, and *Hall Carr*, and *Tottington Higher End*, in the Parish of *Bury*, and the Extra-Parochial Places of *Hen Heads* and *Dunnockshaw*, all in the County Palatine of *Lancaster*.
- xc. An Act to enable the *Monkland* Railways Company to make certain Railways in the Vicinity of *Bathgate* and *Airdrie*; and for other Purposes.
- xci. An Act to authorize the Mayor, Aldermen, and Citizens of the City of *Manchester* to make certain new Streets; and to amend the Acts relating to the said City; and for other Purposes.
- xcii. An Act to repeal an Act of the Seventh Year of the Reign of King *George* the Fourth, for making and maintaining a Turnpike Road from *Wimpole* to *Wrestlingworth* and *Potton*, and to make other Provisions in lieu thereof.
- xciii. An Act to incorporate a Company for making a Railway from *Kingston-upon-Hull* to or near to *Withernsea* in *Holderness*, with a Branch therefrom; and for other Purposes.
- xciv. An Act to enable the *Glasgow and South-western* Railway Company to make a branch Railway to near *Mayfield* in the County of *Ayr*.
- xcv. An Act for extending the Time granted by "The *Rochester Bridge* Act, 1846," for the Completion of such Bridge.
- xcvi. An Act to enable the *Limerick, Ennis, and Killaloe* Junction

- Junction* Railway Company to lease their Undertaking ; and for other Purposes.
- xvii. An Act to enable the *East and West India Docks and Birmingham Junction* Railway Company to raise additional Capital ; and for other Purposes.
- xviii. An Act to amend the *Garbals* Gravitation Water Company's Acts, to authorize the Extension of their Works to supply the Royal Burgh of *Renfrew* and Suburbs and other Places with Water, and for other Purposes.
- xcix. An Act for making a Railway from *Havant* in the County of *Southampton* to *Godalming* in the County of *Surrey*, to be called "*The Portsmouth Railway*;" and for other Purposes.
- c. An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Station at *London Bridge* and their Goods Station at *Brighton*, and to make a Branch Railway to the *Crystal Palace* ; and for converting the Debenture Debt of the *London, Brighton and South Coast* Railway Company into Stock or Shares ; and for other Purposes.
- ci. An Act to enable the *Aberdeen* Railway Company to raise further Monies ; to authorize the Abandonment of the authorized Road to the Quays through the Station at *Aberdeen*, and the Formation of another Road in lieu thereof ; to extend the Time for the compulsory Purchase of Lands and for the Completion of the *Aberdeen* Station ; to alter, amend, and extend the Acts relating to the Company ; and for other Purposes.
- cii. An Act to repeal an Act for making and maintaining a Road from the Top of *Hunt's Bank* in the Town of *Manchester* in the County of *Lancaster* to join the *Manchester and Bury* Turnpike Road in *Pilkington* in the same County, and to substitute other Provisions in lieu thereof.
- ciii. An Act for amending the Provisions with respect to the Commissioners of the Second District for Drainage by the River *Witham* contained in the *Witham* Drainage Act of the Second Year of *George* the Third, Chapter Thirty-two, and for other Purposes, and of which the Short Title is "*The Witham Drainage Second District Act, 1853.*"
- civ. An Act for more effectually repairing and maintaining the Road from *Burford* in the County of *Oxford* to *Lechlade* in the County of *Gloucester*, the Road from thence through *Highworth* to the *Cricklade and Strindon* Turnpike Road in the County of *Wilts*, and the Bridge on the said Roads across the River *Isis* or *Thames* at or near the Town of *Lechlade* aforesaid ; and for granting a further Term in the said Roads and Bridge ; and for other Purposes.

- cv. An Act to amend an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled *An Act for making a Turnpike Road from Shipley to Branley, together with certain Branches therefrom, in the West Riding of the County of York*.
- cvi. An Act to authorize the *London Dock* Company to make a new Entrance to their Docks from the River *Thames* and other Works, and to augment their Capital Stock; and for other Purposes connected with the said Docks.
- cvi. An Act for the Maintenance of the existing Works of the Company of Proprietors of the *Barnsley Waterworks*, and for the Purchase of Lands by them, to repeal their Act, and make other Provisions in lieu thereof.
- cvi. An Act to enable the *Midland Railway* Company to make a Line of Railway from near *Leicester* to the *Great Northern Railway* near *Hitchin*, with a Branch, in lieu of the Line of Railway and Branches authorized by "The *Midland Railways Extension to Hitchin, Northampton and Huntingdon Railway Act, 1847*," and "The *Midland Railways Extension to Hitchin, Northampton, and Huntingdon Railway (Wellingborough Deviations) Act, 1848*."
- cix. An Act to authorize the Re-issue of certain of the Shares in the Capital of the *York and North Midland Railway* Company, called *Hull and Selby Purchase, &c. Shares*, and for other Purposes.
- cx. An Act to enable the *London and North-western Railway* Company to acquire and hold certain Lands and Buildings at or near the Terminus of the *Haydon Square* Branch of the *London and Blackwall Railway*; and for other Purposes.
- cx. An Act to enable the *Lceels, Bradford, and Halifax Junction Railway* Company to construct certain Branch Railways in the West Riding of the County of *York*; and for other Purposes.
- cxii. An Act to repeal the Act for repairing the *Alston Turnpike Roads*, and to make other Provisions in lieu thereof.
- cxiii. An Act for making a Railway from the *Great Southern and Western Railway* near *Roscrea* to *Parsonstown*, to be called "The *Roscrea and Parsonstown Junction Railway*;" and for other Purposes.
- cxiv. An Act to authorize the Abandonment of a Portion of the Undertaking of the *Limerick, Ennis, and Killaloe Junction Railway* Company, and the Construction of a new Line of Railway in lieu of a Portion of the Line to be abandoned; and to revive in respect of a Portion of the said Undertaking the Powers of the said Company for the compulsory Purchase

Purchase of Lands, and to extend in respect of the same Portion of the said Undertaking the Powers of the said Company for constructing Works ; and to amend and repeal Portions of the Act relating to the said Company ; and for other Purposes.

- cxv. An Act for the better Maintenance and Repair of the Highways in *Wildmore Fen* and the *East and West Fens* in the County of *Lincoln*, and for other Purposes, and of which the Short Title is "*The Wildmore Fen and East and West Fens Highways Act, 1853.*"
- cxvi. An Act for reviving the Powers of the *South-eastern Railway Company* for taking Lands and Buildings for the Purpose of enlarging their *London Bridge Station* on the North Side thereof, and for extending for a further Period such Powers, and for other Purposes.
- cxvii. An Act to enable the *Eastern Counties Railway Company* to construct Branch Railways from the *North Woolwich Line* of the *Eastern Counties Railway* to *Ham Creek* and the River *Thames* ; and for other Purposes.
- cxviii. An Act for more effectually improving the Town of *Burton-upon-Trent* in the County of *Stafford*.
- cxix. An Act to authorize the Abandonment of the *Carlisle Canal*, and the making of a Railway in lieu thereof, from the *Newcastle-upon-Tyne and Carlisle Railway* at *Carlisle* to *Port Carlisle* ; to repeal the Acts relating to the *Carlisle Canal* and Docks, and to re-incorporate the Company ; to authorize the raising of a further Sum of Money ; and to confer additional Powers, and for other Purposes.
- cxx. An Act to alter and amend the Provisions of "*The Governor and Company of Copper Miners Act, 1851,*" and to confer further Powers on the said Company.
- cxxi. An Act to enable the *South-eastern Railway Company* to extend the *Reading, Guilford, and Reigate Railway* to the *Great Western Railway* at *Reading* ; and for other Purposes.
- cxixii. An Act to enable the *Warrington and Altrincham Junction Railway Company* to extend their Railway to *Stockport*.
- cxixiii. An Act for incorporating and regulating the Electric Telegraph Company of *Ireland*, and for better enabling the Company to establish and work Telegraphs in *Scotland* and *Ireland* and between those Countries ; and for other Purposes.
- cxixiv. An Act for making a Railway from *Spalding* to *Sutton Bridge* and *Wisbeach*.
- cxixv. An Act for making a Railway commencing by a Junction

- tion with the *Scottish Central Railway* at *Stirling*, and terminating by a Junction with the *Caledonian and Dumbartonshire Junction Railway* at *Alexandria*, to be called "*The Forth and Clyde Junction Railway*."
- cxixvi. An Act for making Turnpike Roads from *Upton Saint Leonard's* to *Brimpsfield* and *Birdlip* in the County of *Gloucester*.
- cxixvii. An Act for enabling the Local Board of Health for the District of *Devsbury* to construct Waterworks; and for other Purposes.
- cxixviii. An Act to authorize the opening of a Diversion of the *Wakefield and Sheffield* Turnpike Road; and for other Purposes.
- cxixix. An Act for the Improvement of the Harbour of *Saint Ives* in the County of *Cornwall*.
- cxixxx. An Act to enable the *South-eastern Railway Company* to make a Railway from *Stroud* to *Mailstone*; and for other Purposes.
- cxixxxi. An Act to authorize the Construction of additional Docks and other Works in connection with the *Victoria (London)* Docks, and to consolidate and amend the Provisions of the Act relating to such Docks.
- cxixxxii. An Act for making a Railway from *Strood* to *Canterbury*, with Branches to *Faversham Quays* and *Chilham*.
- cxixxxiii. An Act for supplying with Water the Inhabitants of *Walsall*, *Dudley*, and other Places in the Southern Parts of the County of *Stafford*, and in certain Parts of the County of *Worcester* adjacent thereto.
- cxixxxiv. An Act to enable the *St Helen's Canal and Railway Company* to extend their Railway to *Rainford*, and to enlarge their Stations at *Sutton*; and for other Purposes relating to the Company.
- cxixxxv. An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford* through *Penlleton* and other Places in the County Palatine of *Lancaster*.
- cxixxxvi. An Act for enabling the *Leeds Northern Railway Company* to create new Shares, and raise Money on Loan for discharging certain Liabilities; and for other Purposes.
- cxixxxvii. An Act for making a Railway from *Bedale* to *Leyburn* in the North Riding of the County of *York*, to be called "*The Bedale and Leyburn Railway*," and for other Purposes, and of which the Short Title is "*The Bedale and Leyburn Railway Act, 1853*."
- cxixxxviii. An Act for the Adjustment of the Debts of the

- Commissioners of the *Holme* Reservoirs, and of the Interest due thereon, and for enabling them to restore and repair their Reservoirs; and for other Purposes.
- cxxxix. An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Town and Parish of *Spalding* in the County of *Lincoln*; for making a Cemetery: for erecting a Corn Exchange and Market House therein: and for other Purposes.
- cxl. An Act for making a Railway from the *North Devon* Railway at *Fremington Pill* to *Bideford*, to be called "The *Bideford Extension Railway*."
- cxli. An Act for the better paving, repairing, lighting, cleansing, watering, regulating, and improving such Parts of the Parish of *Saint Mary Whitechapel* in the County of *Middlesex* as are not within the Liberties of Her Majesty's *Tower of London* and the City of *London*; and for paving, repairing, watering, and regulating certain Parts of other Parishes and Places adjoining; and for removing and preventing Nuisances, Annoyances, and Obstructions therein: and for raising Money for the Relief, Maintenance, and Employment of the Poor within the said Parish: and for raising Money for repairing the Church of the said Parish.
- cxlii. An Act to enable the *Great Southern and Western* Railway Company to divert the *Glanmire Road Lower* in the Parish of *Saint Anne's Shandon* in the County of the City or Borough of *Cork*, and to make a small Portion of Railway in that Parish; and for other Purposes.
- cxliii. An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Newtown* in the same County, to be called the *Llanidloes and Newtown* Railway; and for other Purposes.
- cxliv. An Act to enable the *Wreceney Valley* Railway Company to extend their Railway from *Bungay* to *Bercles*.
- cxlv. An Act for altering and extending the Line of the *Barnsley Branch* of the *Manchester, Sheffield, and Lincolnshire* Railway Company; for extending the Time for the Completion of certain Works at *Sheffield*; for amending the Acts relating to the said Company; and for other Purposes.
- cxlvi. An Act for amending the Acts relating to the "*Llynvi Valley* Railway Company," and for authorizing the Company to make Diversions in and improve their Line of Railway and construct a new Branch, and for better regulating the Harbour of *Porth Cawl* and the Rates leviable thereat; and for other Purposes.

cxlvii. An

- cxlvii. An Act to repeal the Act relating to the *Nantwich and Woore* Turnpike Road, and to make other Provisions in lieu thereof.
- cxlviii. An Act to authorize the Extension of the Railway already partly executed between *Smithstown* and *Dalmellington* in the County of *Ayr* to *Dalmellington*, and to the *Glasgow and South-western* Railway near *Ayr*.
- cxlix. An Act to enable the *Caledonian* Railway Company to extend the *Glasgow, Barrhead, and Neilston Direct* Railway to *Crofthead*; and for other Purposes.
- cl. An Act for confirming a certain Agreement entered into between the *Furness* Railway Company and *John Abel Smith*, Esquire, and for enabling the *Furness* Railway Company to raise a further Sum of Money, and for authorizing the Conversion of the Borrowed and Preferential Share Capital of the *Furness* Railway Company into a Stock not exceeding Four Pounds Ten Shillings *per Centum*, and for amending the Acts relating to the said Company and *Pile Pier*.
- cli. An Act to enable the *Edinburgh and Glasgow* Railway Company to connect their Line at *Glasgow* by Branches with the *Caledonian* Railway, and to extend their Station at *Cowlairs*.
- clii. An Act to sanction certain Arrangements between the *Edinburgh, Perth, and Dundee* Railway Company, and certain Classes of the Creditors thereof.
- cliii. An Act for enabling the *Great Western* Railway Company to construct additional Lines and Works, or for conferring further Powers on them in reference to the *Henley* and *Uxbridge* Lines, and other Parts of their Undertaking at *Acton*, *Chippenheim*, and *Reading*; and for other Purposes.
- cliv. An Act for incorporating the Lands Improvement Company, and to afford Facilities for the Improvement of Land by enabling the Company to issue transferable Mortgage Debentures.
- clv. An Act for making a Railway from the Town of *Saint Ives* to the *West Cornwall* Railway at or near *Saint Erth*, with a Branch therefrom, and for making Arrangements with the *West Cornwall* Railway Company.
- clvi. An Act for dissolving the *Canterbury and Whitstable* Railway Company, and for vesting in the *South-eastern* Railway Company the Undertaking of the *South-eastern and Continental* Steam Packet Company, and for other Purposes, and of which the Short Title is "*The South-eastern Railway (Canterbury and Whitstable and Steam Packets) Act, 1853.*"

clvii. An

- clvii. An Act for conferring additional Powers on the *London and North-western* Railway Company with reference to the Construction of their *Oldham* Branch, and for making an Alteration in such Branch; and for other Purposes.
- clviii. An Act for the Purchase of the Bridge and Ferry over the River of *Ross* at the Town of *New Ross*, and for maintaining the same free of Toll; and for other Purposes.
- clix. An Act for repealing and amending an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, called "The *British Electric Telegraph Company's Act*, 1850."
- clx. An Act to enable the *London and North-western* Railway Company to construct a Railway from *Northampton* to *Market Harborough*, with a Branch therefrom, all in the County of *Northampton*; and for other Purposes.
- clxi. An Act to enable the *London and North-western* Railway Company to construct a Branch Railway to *Saint Albans*; and for other Purposes.
- clxii. An Act to repeal the Acts for repairing the Roads from *West Harptry* to the *Bath and Wells* Turnpike Road at *Marksbury* and other Roads therein mentioned, in the County of *Somerset*, and to make other Provisions in lieu thereof.
- clxiii. An Act to enable the *East Lancashire* Railway Company to extend their Railway to *Rainford*, to enter into Arrangements with the *St Helen's Canal and Railway* Company, and to convert their Mortgage Debt into Annuities.
- clxiv. An Act for amending the Acts passed for the Construction of the *Basingstoke and Salisbury* Railway, and for other Purposes, and of which the Short Title is "The *London and South-western Railway (Basingstoke and Salisbury) Act*, 1853."
- clxv. An Act for authorizing Arrangements for the Completion of the *Birkenhead Docks*.
- clxvi. An Act for enabling the *East London* Waterworks Company to improve their Supply of Water; and for other Purposes.
- clxvii. An Act for the Improvement of the Borough of *Halifax*, and for other Purposes, and of which the Short Title is "The *Halifax Improvement Act*, 1853."
- clxviii. An Act for making a Railway from *Limerick* to *Foynes*.
- clxix. An Act for enabling the *Llanelly* Railway and Dock Company to make new Railways, and for other Purposes, and of which the Short Title is "The *Llanelly Railway and Dock Act*, 1853."

clxx. An

- clxx. An Act to repeal the Acts relating to the *Ribble* Navigation Company, of the First Year of the Reign of Her present Majesty, Chapter Eight, and of the Seventh Year of the Reign of Her present Majesty, Chapter One, and some of the Provisions of the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and sixteen, which relate to the Company, and to make other Provisions in lieu thereof respectively; and to grant further Powers to the Company for the Construction of Works, for providing Quays, for raising Capital, for levying Tolls, for regulating the Disposition of the reclaimed Lands, and for other Purposes.
- clxxi. An Act to enable the *Whitehaven and Furness Junction* Railway Company to make Branch Railways; and for other Purposes.
- clxxii. An Act to enable the *Blyth and Tyne* Railway Company to construct Branches in the County of *Northumberland*; and for other Purposes.
- clxxiii. An Act for constructing and maintaining Docks and other Works at or near to *Milford Haven*, and for other Purposes.
- clxxiv. An Act for making a Railway from *Enniskillen* to *Sligo*, with a Branch therefrom.
- clxxv. An Act for providing additional Station Accommodation at *Birmingham* in connection with the *Birmingham and Oxford Junction* Railway; and for enabling the *Great Western* Railway Company to use a Portion of the *Oxford, Worcester, and Wolverhampton* Railway; and for making better Provision with reference to the joint Station at *Wolverhampton*; and for other Purposes.
- clxxvi. An Act to amend and enlarge the Powers and Provisions of "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," and "The *Westminster* Improvement Act, 1850;" to extend the Time for the compulsory Purchase of Lands; to authorize further Improvements in the City of *Westminster*; and for other Purposes.
- clxxvii. An Act to amend the Acts relating to the *Birkenhead* Dock Company, and to enable the Company to make a Railway for their Works, and for other Purposes, and of which the Short Title is "The *Birkenhead* Dock Company's Act, 1853."
- clxxviii. An Act to authorize the *Newport, Abergavenny, and Hereford* Railway Company to make Deviations on their Extension to the *Taff Vale* Railway, and to make certain short Branches.
- clxxix. An

- clxxix. An Act to authorize Deviations at *Hereford* and near *Pontypool* of the *Newport, Abergavenny, and Hereford* Railway, and to amend the Acts relating to that Railway.
- clxxx. An Act for making a Railway to the *Crystal Palace*, with Branches to the *London, Brighton, and South Coast* Railway, and to the *London and South-Western* Railway.
- clxxxi. An Act for the Improvement of the Parish of *Chorley* in the County of *Lancaster*.
- clxxxii. An Act for the more effectual Improvement of the Borough of *Newcastle-upon-Tyne*.
- clxxxiii. An Act to enable the *Newry and Enniskillen* Railway Company to extend their Railway to the Landing Quay at *Newry*, to effect a Junction with the *Dublin and Belfast Junction* Railway, and for other Purposes.
- clxxxiv. An Act for making a Railway from *Worcester* to *Hereford*, with certain Branches therefrom, and for other Purposes.
- clxxxv. An Act for improving and maintaining the Port and Harbour of *Westport* in the County of *Mayo*.
- clxxxvi. An Act for making a Railway from the North-western District of the Metropolis to *Battle Bridge* in the County of *Middlesex*.
- clxxxvii. An Act to enable the *West Cornwall* Railway Company to make certain new Railways; and for other Purposes.
- clxxxviii. An Act for making a Railway from the *Scottish Central* Railway near *Loathinghead* to the Town of *Crieff*.
- clxxxix. An Act for making a Railway from *Traloe* to *Killarney*.
- exc. An Act for consolidating and amending the Powers of the Acts of "The *Imperial Continental Gas Association*."
- exci. An Act for reclaiming, inclosing, and appropriating certain Parts of the Harbour or Estuary of *Castlemaine* and the Creeks of *Curagh* and *Rossbehy* in the County of *Kerry*.
- excii. An Act to revive and amend the Powers of the Acts relating to the *Chard* Railway Company, to regulate the Capital of the Company, and to enable them to extend their authorized Railway into *Taunton*.
- exciii. An Act for constructing a Railway and Landing Places within the Borough of *King's Lynn*, for regulating the Share Capital of the *East Anglian* Railways Company, and for other Purposes, and of which the Short Title is "*The East Anglian Railways Act, 1853*."
- exciv. An Act for the Improvement of the Borough of *Limerick*.

- cxcv. An Act for enabling the *Monmouthshire* Railway and Canal Company to make new Railways; and for other Purposes.
- cxevi. An Act to enable the *Severn and Wye* Railway and Canal Company to improve their Railway and Harbour; and for other Purposes relating to the Company.
- cxcvii. An Act for making a Railway from the *South Wales* Railway at *Britonferry* to *Glyncoirwg* in *Glamorganshire*, to be called "The *South Wales* Mineral Railway."
- cxcviii. An Act to consolidate and amend "The *Staffordshire Potteries* Waterworks Act, 1847," and "The *Staffordshire Potteries* Waterworks Extension Act, 1849," and to extend the Provisions and enlarge the Powers thereof.
- cxci. An Act for making a Railway from *Stamford Baron* in the County of *Northampton* to the *Great Northern* Railway at *Essendine* in the County of *Rutland*, and for other Purposes connected therewith.
- cc. An Act for better paving, draining, cleansing, lighting, watching, supplying with Water, regulating in regard to Markets and other Purposes, for making new Streets, and otherwise improving the Town of *Galway*.
- ccci. An Act for regulating the depasturing and Management of certain Pastures in the Parish of *Richmond* in the County of *York*.
- ccii. An Act to consolidate the Acts relating to the *Cork and Bandon* Railway Company, to authorize the Company to construct Extension and Branch Railways, and for other Purposes.
- cciii. An Act for granting further Powers to "The Electric Telegraph Company," and to enable such Company to make Arrangements for the working of Telegraphs adjoining their Works.
- cciv. An Act for authorizing the *South Wales* Railway Company to deviate the Line of their Railway in the *Forest of Dean*, and for other Purposes.
- ccv. An Act to enable the *London and North-western* Railway Company to make a Railway to connect the *Buckinghamshire* Railway with the *Oxford, Worcester, and Wolverhampton* Railway.
- ccvi. An Act for reclaiming from the Sea certain Lands near *Harwich*, for constructing Docks and a Pier on such Lands, and for other Purposes.
- ccvii. An Act for making a Pier and Breakwater in the Bay of *Galway*, and for conferring additional Powers on the *Galway* Harbour Commissioners, and for other Purposes.
- ccviii. An

- cevi. An Act for making a Railway from *Banbridge* to join the *Dublin and Belfast Junction* Railway at *Seareagh*.
- ccix. An Act for granting further Powers in reference to the leasing and selling the Undertaking of the *South Wales* Railway Company to the *Great Western* Railway Company, and authorizing working Arrangements between the said Companies, and for other Purposes.
- cex. An Act to enable the *South Wales* Railway Company to extend the *Pembroke* Line of their Railway to *Pennar Mouth*, and to make a Deviation in their said *Pembroke* Line; and for other Purposes.
- cexi. An Act to reduce and regulate the Tolls payable in respect of Traffic passing between *Liverpool* and certain Places on the *Liverpool, Crosby, and Southport* Railway, and also the Payments or Tolls payable to the *Lancashire and Yorkshire* and *East Lancashire* Railway Companies in respect of Traffic to and from the last-mentioned Railway; and for other Purposes.
- ccxii. An Act to extend the Periods limited for completing and for purchasing Lands for the *Stratford-upon-Avon* and *Kingswinford* Branches of the *Oxford, Worcester, and Wolverhampton* Railway, and to extend such respective Branches, to construct a Branch Railway to *Stourbridge*, and to authorize the raising of certain Sums of Money by Preferential Shares, and for other Purposes.
- ccxiii. An Act for the Construction and Maintenance of a Harbour at *Llandudno* in the County of *Carmarvon*.
- ccxiv. An Act for making a Railway from *Wellington* to *Coalbrookdale*, and an Extension to the River *Severn*, all in the County of *Salop*; and for other Purposes.
- ccxv. An Act for the Incorporation of the *Westminster* Association for improving the Dwellings of the Working Classes.
- ccxvi. An Act for enabling the *London and North-western* Railway Company to construct a Railway from *Crewe* to *Shrewsbury*, and other Works in connection with their Undertaking; and for other Purposes relating thereto.
- ccxvii. An Act for making a Railway from the *Newport, Abergarennny, and Hereford* Railway in the Parish of *Ellanrihangel Pontymoyle* in the County of *Monmouth* to *Coleford* in the County of *Gloucester*, with a Branch to the *Monmouth* Gasworks; and for other Purposes.
- ccxviii. An Act to enable the *Warrington and Altrincham Junction* Railway Company to make Deviations and Branches at *Warrington*, and to use certain neighbouring Railways.
- ccxix. An Act to enable the *South Sea* Company to enter into Arrangements with certain Proprietors of the Company.

ccxx. An

- ccxx. An Act for the Improvement of the Town of *Rochdale*, and for providing a Cemetery there, and for other Purposes, and of which the Short Title is “The *Rochdale* Improvement Act, 1853.”
- ccxxi. An Act to enable the *Eastern Union* Railway Company to redeem their Preference Shares ; and for other Purposes.
- ccxxii. An Act for making a Railway from the *London and North-western* Railway at *Willesden* to the *North London* Railway, with a Branch to the *North and South Western Junction* Railway, to be called “The *Hampstead Junction* Railway,” and for other Purposes.
- ccxxiii. An Act for making a Railway from the *Great Northern* Railway at *Boston* in the County of *Lincoln* to the *Great Northern* Railway at *Barkstone* in the same County, and for other Purposes.
- ccxxiv. An Act for incorporating the Life Association of *Scotland*, for enabling the said Association to sue and to be sued, to take and hold Property, and for other Purposes relating to the said Association.
- ccxxv. An Act for the Appointment and Regulation of Vestries in the Parishes of *Saint Margaret* and *Saint John the Evangelist* in the City of *Westminster*.
- ccxxvi. An Act to amend an Act, intituled *An Act for Incorporating the East Indian Railway Company, and for other Purposes connected therewith*.
- ccxxvii. An Act for making a Railway from the *Oxford, Worcester, and Wolverhampton* Railway near *Hartlebury* in the County of *Worcester* to the Borough of *Shrewsbury* in the County of *Salop*, with a Branch, to be called “The *Severn Valley* Railway;” and for other Purposes.

 PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

 AND WHEREOF THE PRINTED COPIES MAY BE GIVEN
IN EVIDENCE.

1. **A**N Act to enable the Master, Fellows, and Scholars of *Lady Frances Sidney Sussex* College in the University of *Cambridge* to lease on long Leases and otherwise improve their Estate situate at *Clee* in the County of *Lincoln* ; and for other Purposes.
2. An Act to authorize the granting of Building Leases of

3 E
Lands

Lands and Hereditaments subject to the Will of *Andrew John Nash* Esquire, deceased.

3. An Act to incorporate the Craft of Tailors of the Burgh of *Aberdeen*, to confirm the Titles and Conveyances and to amend and regulate the Estates and Affairs of the said Craft, and for other Purposes relating to the Society.
4. An Act for extending the Powers of the Trustees of the Settlements on the Marriage of *Charles Pelham Pelham Clinton* Esquire, commonly called Lord *Charles Pelham Pelham Clinton*, and *Elizabeth Pelham Clinton* his Wife, commonly called Lady *Charles Pelham Pelham Clinton*, and of the Trustees of the Contract of Marriage of the Father and Mother of the said Lady *Charles Pelham Pelham Clinton*, so as to authorize the Investment of the Produce of certain Stocks and Shares, Part of the Trust Funds subject to the Trusts of the same Settlements and Contract of Marriage respectively, in the Purchase of Estates in *England, Wales, Scotland, or Ireland*, and to authorize the Investment of the same Trust Funds, or the Produce thereof, on the Security of Estates in *England, Wales, Scotland, or Ireland*.
5. An Act for enlarging the Powers of the Trustees of the Settlement made on the Marriage of the Baroness *de Graffenried Villars*, and for other Purposes.
6. An Act to authorize the granting for Building Purposes of Demises for long Terms of Years of the Trust Estate of the late *William Penketh Cotham* Esquire, and to authorize the granting of Mining Leases, and for other Purposes.
7. An Act for enabling the Trustees of the Will of *Thomas Brown* Esquire, deceased, to Invest the Funds subject to the Trusts of the Will of the said *Thomas Brown* in the Purchase of Real Estates in *Ireland*.
8. An Act for enabling Sales, Exchanges, and Leases of the Family Estates of *Robert Westley Hall Davé* Esquire, and for other Purposes.
9. An Act to authorize the granting of Building Leases of Parts of the Estates devised by the Will of Sir *Robert Holt Leigh* Baronet, deceased, and to extend the Power in the same Will contained to grant Mining Leases, and to authorize the Sale of a Share in the *Wigan Waterworks*, Part of the Estate of the said Sir *Robert Holt Leigh*.
10. An Act for confirming an Exchange between the Right Honourable *Henry Stephen* Earl of *Ilchester* and the Right Honourable *George O'Brien* Earl of *Egremont*, now deceased, and for effecting an Exchange of Lands by the last Will of the Right Honourable *George* Earl of *Egremont*

mont, now deceased, directed to be sold, for Lands by that Will directed to be settled.

11. An Act for vesting certain Estates belonging to the See of *Canterbury*, now vested in Trustees for Sale, in the Archbishop of *Canterbury*, with Provisions for the Sale thereof, with the Approval of the Church Estates Commissioners; and for other Purposes.
12. An Act for enabling *James Thomas Martin* Esquire, and the Persons in remainder under the Will of *Mary Jackson* deceased, to grant Leases of Parts of the Estates thereby devised in Settlement, for the Purpose of building upon and otherwise improving the same; and for other Purposes.
13. An Act for incorporating the Trustees of the *Bingley* Free Grammar and General Education Schools and other Charities at *Bingley* in the County of *York*; for authorizing the Sale, Exchange, or Mortgage, by the Trustees, when incorporated, of the several Estates belonging to the said Schools and Charities respectively situate in the Parishes of *Bingley* and *Bradford*, both in the said County of *York*; and for other Purposes relating to the said Schools and Charities.
14. An Act to amend an Act of Parliament made and passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to enable the Governors of the Free Grammar School of Clitheroe in the County of Lancaster to sell and grant Building Leases of the School Estates, and to enlarge the Powers of the Governors*; and to authorize the Court of Chancery to apply Parts of the Proceeds of the Sales effected under such Act towards Discharge of certain Debts of the said School, and to vary the Investment of such Proceeds, and apply the Income thereof towards the Maintenance of the School; and to enlarge the Powers of granting Building Leases created by the said Act; and for other Purposes.
15. An Act to authorize the Trustees of the late *John Fourth Duke of Atholl* to denude themselves of the Trusts created by his Trust Deed, and to convey the Trust Estates to his Grace *George Augustus Frederick John Duke of Athole*, and the Series of Heirs specified in the said Trust Deed, and under the Provisions therein contained, and to enable the said Duke, or the Heir in possession for the Time, to sell Parts of the said Estate, and other Estates, for Payment of the Debts of the said *John Fourth Duke of Atholl*.
16. An Act to enable certain Persons to grant Leases for Mining Purposes of the Estates at *Oakthorpe* in the Counties

- ties of *Leicester* and *Derby*, or one of them, devised by the Will of the Reverend *John Piddocke* Clerk, deceased.
17. An Act to enable the Master or Keeper, Fellows, and Scholars of *Jesus College* in the University of *Cambridge* to alter and vary the Mode of dealing with the Benefaction of Doctor *Edmund Proby* and Sir *Thomas Proby*, and to appropriate the same for the Benefit of the said College in erecting and providing Parsonage Houses for Livings belonging to the said College, and in augmenting such Livings; and for other Purposes, including the Repeal of existing Legislative Enactments relating to the said Benefaction.
 18. An Act to enable the Trustees of the Will of *William Ward Jackson* deceased to grant Mining, Building, and Improving Leases of and to open and work Mines in the Estates thereby devised upon Trusts by way of Settlement, and for other Purposes, and of which the Short Title is "*Ward Jackson's Estate Act, 1853.*"
 19. An Act for enabling Leases, Sales, and Exchanges to be made of the Estates of the late *Philip Duncombe Pauncefort Duncombe Esq.*, deceased, and for other Purposes.
 20. An Act authorizing and enabling the Trustees under the Will of the late *Warden Sergison* Esquire to raise Money by Mortgage of Part of the Estates settled by his Will, for the Purchase of adjoining Property, and for obtaining Enfranchisement of Copyhold Lands comprised in the Will, and for enabling the Trustees to obtain and grant Enfranchisement of Copyhold Lands, and to grant Building Leases of Parts of the settled Lands, and for other Purposes.
 21. An Act to enable the Bishop of *Durham* and the Freemen and Stallingers of the Borough of *Sunderland* to give up their respective Interests in certain Lands and Monies, for the Purpose of endowing an Orphan Asylum at *Sunderland*, and of making better Provision for the Spiritual Wants of the Parish of *Sunderland*; and to enable such Asylum to acquire and hold additional Land; and to enlarge the Powers and to provide for the better Regulation and Management of the said Asylum; and for other Purposes.
 22. An Act to authorize the Executors in Trust of the Residuary Personal Estate bequeathed by the Will of The Most Honourable *John Crichton Stuart* Marquess of *Bute* and Earl of *Dumfries*, deceased, to postpone the Sale of certain Parts of such Residuary Estate, and to indemnify such Executors in respect of such Postponement; and for other Purposes.
 23. An Act to enable the Trustees of the Estate of *Henry Smith*

- Smith* Esquire, deceased, to apply certain Funds held upon Trust for the Relief of his poor Kindred in the Purchase of a Plot of Ground and Buildings called *Strong's Place* in the Parish of *Kensington* in the County of *Middlesex*.
24. An Act for authorizing the granting of Building Leases of Lands held under the Will of *John Pidgley* otherwise *John Moor Pidgley*, situate at *Dawlish* in the County of *Devon*.
25. An Act for better enabling the Trusts of the Will of *Joseph Thomas Treffry* deceased to be executed, under the Authority of the High Court of Chancery, and for other Purposes, and of which the Short Title is "*Treffry's Estate Act, 1853.*"
26. An Act to settle Estates in the Counties of *Cornwall* and *Devon* devised by the Will of the late Right Honourable *Richard Hussey Baron Vivian* deceased, dated the Twenty-fourth Day of *September* One thousand eight hundred and forty-one, and thereby directed to be settled, and to enable the Trustees of such settled Estates to carry into effect an Agreement to grant a Building Lease of Part of such devised Estates to the *West Cornwall Railway Company*; and for other Purposes.
27. An Act for enabling the Trustees of certain Estates in *Carmarthenshire* devised by the Will of *Francis Charles James Pemberton* Esquire, deceased, to grant Mining and Building Leases of Parts of the said Estates; and for other Purposes.
28. An Act for raising by Sale or Mortgage of the Real Estates devised by the Will of Sir *William Chaytor* Baronet, deceased, Monies for Payment of his Debts and Legacies, in aid of his Personal Estate, and for other Purposes, and of which the Short Title is "*Chaytor's Estate Act, 1853.*"
29. An Act to extend the Powers of the Trustees of the Will of the late Duke of *Cleveland*, and to enable such Trustees to raise certain Monies on certain of the Trust Estates in the County of *Durham* by the said Will devised.

PRIVATE ACTS,

NOT PRINTED.

30. An Act to enable *William Yates Rooker* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment, in the United Church of *England* and *Ireland*.
31. An Act for the Restitution in Blood of *George Drummond* Esquire, Duke *de Melfort* and Comte *de Lussan* in *France*, and to relieve the said *George Drummond* and the Heirs Male of *James* First Earl of *Perth* from the Effect of the Attainder of *James Drummond*, commonly called Lord *Drummond*, eldest Son of *James* Fourth Earl of *Perth*, and from the Effect of the Attainder of *John Drummond*, Second Son of the said *James Drummond*, and from the Effect of a Decreet of Forfaulture pronounced by the Parliament of *Scotland* against *John* Earl of *Melfort*.
32. An Act to dissolve the Marriage of *Alfred Richard Cutbill* with *Elizabeth* his now Wife, and to enable him to marry again ; and for other Purposes therein mentioned.
33. An Act to dissolve the Marriage of *George Fisher* Esquire with *Mary Matilda Fisher* his now Wife, and to enable him to marry again ; and for other Purposes therein mentioned.
34. An Act to enable *Charles Crowe* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment in the United Church of *England* and *Ireland*.
35. An Act to dissolve the Marriage of *Robert Frederick Brownlow Rushbrooke* with *Albinia Maria* his now Wife, and to enable him to marry again ; and for other Purposes.

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